

1 UNITED STATES DISTRICT COURT

2 SOUTHERN DISTRICT OF TEXAS

3 HOUSTON DIVISION

4 LADDY CURTIS VALENTINE and  
5 RICHARD ELVIN KING,

6 Plaintiffs,

7 VS.

8 BRYAN COLLIER, ROBERT HERRERA, and  
9 TEXAS DEPARTMENT OF CRIMINAL JUSTICE,

10 Defendants.

.  
.  
.  
.  
Civil Action  
No. H-20-CV-1115  
.  
Houston, Texas  
July 13, 2020  
9:16 a.m.  
.  
.

11 TRANSCRIPT OF PROCEEDINGS (HELD REMOTELY)

12 BEFORE THE HONORABLE KEITH P. ELLISON

13 BENCH TRIAL - **DAY 1** - MORNING SESSION

14 APPEARANCES:

15 FOR THE PLAINTIFFS:

16 Mr. John R. Keville  
17 Mr. Brandon W. Duke  
18 Ms. Denise Scofield  
19 Ms. Corinne Stone Hockman  
20 Mr. Michael T. Murphy  
21 Mr. Rob Green  
22 Mr. Mark Werbner  
23 Mr. Kyle Terao  
24 WINSTON & STRAWN, LLP  
25 800 Capitol Street  
Suite 2400  
Houston, Texas 77002  
713.651.2600  
FAX: 713.651.2700  
jkeville@winston.com  
bduke@winston.com

PROCEEDINGS RECORDED BY STENOGRAPHIC MEANS REMOTELY,  
TRANSCRIPT PRODUCED FROM COMPUTER-AIDED TRANSCRIPTION

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

APPEARANCES  
(continued)

FOR THE PLAINTIFFS:

Mr. Jeffrey S. Edwards  
Mr. David James  
Mr. Scott Medlock  
THE EDWARDS LAW FIRM  
1101 East 11th Street  
Austin, Texas 78702  
512.623.7727  
FAX: 512.623.7729  
jeff@edwards-law.com

FOR THE DEFENDANTS:

Mr. Shawn E. Cowles  
Ms. Christin Cobe Vasquez  
Mr. Jason Bramow  
Mr. Ralph Molina  
Mr. Landon Wade  
Ms. Shea Fennessey  
OFFICE OF THE ATTORNEY GENERAL  
PO Box 12548  
Austin, Texas 78711  
512.936.1378  
512.370.9996  
shawn.cowles@oag.texas.gov  
christin.vasquez@oag.texas.gov

COURT REPORTER:

GAYLE L. DYE, CSR, RDR, CRR  
515 Rusk, Room 8004  
Houston, Texas 77002  
713.250.5582

1	INDEX OF WITNESSES	
2		Page
3	FOR THE PLAINTIFFS:	
4	<b>BRYAN COLLIER</b>	
5	AS ON CROSS-EXAMINATION BY MR. KEVILLE	41
6	DIRECT EXAMINATION BY MS. VASQUEZ	117
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1 PROCEEDINGS

2 July 13, 2020

3 THE COURT: Welcome to all of you. We have some  
4 preliminary matters I thought we might take care of before we  
09:16:16 5 get started with opening statements.

6 Let me ask Plaintiffs: A few members of the  
7 class have asked to be excluded from the class. Does Plaintiff  
8 have any objection to excluding those who request exclusion?

9 MR. KEVILLE: No, your Honor, we have no objection.

09:16:35 10 THE COURT: Okay. On the briefing schedule for the  
11 motion for summary judgment, I think we're going --

12 THE COURT REPORTER: I'm sorry, Judge. I couldn't  
13 hear you. I think someone's cell phone was ringing.

14 THE COURT: The briefing schedule for the motion for  
09:16:54 15 summary judgment, we're going to use the standard schedule as  
16 provided in the rules.

17 The post-trial briefing schedule, the briefs will  
18 be due from both parties three days after we finish the hearing.

19 Now, we have this emergency motion -- oh, the  
09:17:15 20 motion in limine. I don't worry too much about motions in  
21 limine when I'm sitting without a jury. I think we need to  
22 minimize the time we spend on the matters that are the subject  
23 of the motions in limine, but I think I can decide what's  
24 relevant and what's not without granting the motion in limine.

09:17:33 25 Now, there's an emergency motion to enforce. I

1 need to hear some argument on that. It's Plaintiffs' motion so  
2 we'll start with Plaintiff.

3 MR. KEVILLE: Yes, your Honor. John Keville, and I'm  
4 going to turn it over to David James for that.

09:17:46 5 THE COURT: Okay.

6 MR. JAMES: Good morning, your Honor. This is David  
7 James.

8 As we said in the motion, this is about a motion  
9 to compel hospitalization records which was granted on July 8th.  
09:18:06 10 We had not received the documents -- any documents that were  
11 remotely responsive when we filed the motion. Later, Sunday  
12 night, we did receive a declaration which states that it is not  
13 attesting to the factual accuracy of the document or where the  
14 information came from; but it does purport to list  
09:18:29 15 hospitalization information for Pack Unit inmates.

16 You know, I don't know whether Defendants are  
17 willing to stipulate to the accuracy of that document. If  
18 they're not, then we certainly still need the actual documents;  
19 and I mean, I don't really understand Defendants' position on  
09:18:51 20 the issue because during the hearing Defendants agreed to  
21 provide the documents by Thursday; and we didn't get anything  
22 until Friday they sent us another version of the same snapshot  
23 sort of declaration that we had previously been complaining  
24 about and said that was good enough on Saturday.

09:19:08 25 So, I just don't know why it's -- what the

1 problem is in actually getting the documents. This would really  
2 simplify the dispute. We know that several different types of  
3 documents would show exactly what we've been asking for.

4 And quite frankly, Defendants have been willing  
09:19:27 5 to go search medical records for their own case even though  
6 we've been asking for this specific -- we've been asking for all  
7 positive inmates' medical records since the beginning of this  
8 case; and we narrowed that to the hospitalization records which  
9 would actually be very small because TDCJ doesn't actually hold  
09:19:48 10 the hospital records, they just hold the record saying, "We sent  
11 them to the hospital."

12 But TDCJ has decided they're not going to give us  
13 that, they're going to create some weird declaration; and they  
14 keep on changing their position without getting us the evidence  
09:20:03 15 that we've asked for. So, that's -- we're at a loss, but we  
16 need the answer of how many people have been hospitalized with  
17 COVID-19 from the Pack Unit.

18 Thank you, your Honor.

19 THE COURT: Did you have a current total of how many  
09:20:16 20 people have been -- have tested positive and how many people  
21 have died?

22 MR. JAMES: Your Honor, they did e-mail us over the  
23 weekend that a 19th person have died. Based on the documents  
24 that we received, it does appear that we have a total of  
09:20:32 25 positive cases of about 487.

1 THE COURT: 487?

2 MR. JAMES: Yes, 487, including people who are no  
3 longer at the prison but were tested while they were at the  
4 prison. So --

09:20:45 5 THE COURT: Have they gone to other prisons or have  
6 they been released?

7 MR. JAMES: So, 19 are dead. So, they're no longer at  
8 the prison. I don't know the exact location of all of them, but  
9 I think about 409 are still at the prison.

09:20:59 10 THE COURT: Okay.

11 MR. COWLES: Your Honor, may I provide an update?

12 THE COURT: Yes, you may.

13 MR. COWLES: Yes. Thank you, your Honor.

14 This is the Shawn Cowles, Texas Attorney  
09:21:09 15 General's Office on behalf of the Defendants. It's nice to at  
16 least see you in person via Zoom. I wanted to provide the Court  
17 with --

18 THE COURT: Nice to see you. Nice to see you.

19 MR. COWLES: Thank you, your Honor.

09:21:12 20 I wanted to provide the Court with an update at  
21 the outset. I'm happy to do so as we go through this trial as  
22 often as the Court would like.

23 So, as of the numbers from yesterday, there have  
24 been -- these are all numbers at the Pack Unit, of course. So,  
09:21:31 25 at the Pack Unit there have 1,863 negative tests for offenders,

1 there have been a total of 481 positive offenders, offenders who  
2 have tested positive for COVID-19.

3 Of that 481 number, 413 are recovered positives.  
4 There are currently five hospitalizations; and there have been  
09:22:02 5 19 deaths, your Honor.

6 THE COURT: Okay. Now, as to the documents that  
7 Mr. James is talking about, what's the problem on these?

8 MS. VASQUEZ: Your Honor, TDCJ has recently as  
9 yesterday --

09:22:19 10 THE COURT: Who is speaking, please? Who is speaking?  
11 Is this Ms. Vasquez?

12 MS. VASQUEZ: Yes.

13 THE COURT: Yes, Ms. Vasquez.

14 MS. VASQUEZ: This is the Christin Vasquez, your  
09:22:37 15 Honor.

16 We provided a comprehensive list of all of the  
17 Pack Unit hospitalizations that we have a record for yesterday,  
18 your Honor.

19 Regarding medical records, those are things we  
09:22:48 20 would have to get through UTMB; and it is going to take an  
21 extensive amount of time is my understanding. So, regarding  
22 records that TDCJ has regarding the Pack Unit hospitalizations  
23 for COVID-19, we have provided that.

24 THE COURT: Okay. Where are we not communicating?  
09:23:09 25 Tell me -- what is it that -- Mr. James, that you want that you



1 don't have?

2 MS. VASQUEZ: It's my understanding that Mr. James  
3 wants medical records, and that's going to take more than the  
4 time we have to obtain and provide, and that would be from UTMB.

09:23:31 5 MR. JAMES: Your Honor, I just -- I apologize that the  
6 Court doesn't have the benefit of this document. It was served  
7 after the motion was filed which was filed more than a day after  
8 I asked Defendants to tell us immediately whether they were  
9 going to provide us anything.

09:23:46 10 But regardless, the first page is a declaration  
11 of the deputy director of prison jail operations; and all he  
12 attests to is that his information received but not factually  
13 verified by my office concerning Pack Unit offenders who were  
14 transported to hospitals and who stayed in the hospital  
09:24:06 15 overnight.

16 So, if that is -- if it is a comprehensive  
17 document as counsel just represented, then it's what we need. I  
18 mean, I don't -- I don't -- I don't know it to be true that it  
19 is difficult to get the information that they're describing. I  
09:24:24 20 think that there are other categories of documents that are  
21 responsive as we listed in the motion.

22 This document would have been pulled from one of  
23 those documents. They created a new document instead of giving  
24 us the underlying document. I also wanted to briefly address  
09:24:41 25 just to clarify the numbers. I think counsel said that there

1 were over 1800 tests; but that does not represent the number of  
2 unique individuals who have been tested, if I'm understanding  
3 correctly, unless there were 600 inmates brought into the Pack  
4 Unit and tested and then taken out again. It was probably a  
5 maximum of 1248 tests. Anyway, so --

09:25:00

6 THE COURT: You're wondering if these are -- some  
7 people got tested twice? Is that what you're wondering?

8 MR. JAMES: Your Honor, we know that several people  
9 were tested twice. I don't know how many; but I just wanted to  
10 make that clear from counsel's update.

09:25:17

11 So, back to this document. If TDCJ is going to  
12 agree that this is what the Court -- this represents the  
13 information that the Court already ordered them to produce, then  
14 I guess my only complaint is that it was provided on Saturday.

09:25:37

15 And -- and you know, I think that it's -- it was  
16 ordered on Thursday; but we can address that issue later. If  
17 they're willing to -- regardless of this declaration -- I just  
18 want to be clear the declaration does not say that any of this  
19 is accurate or that they even know where this came from. It  
20 says information received in the passive voice.

09:26:00

21 So, if TDCJ notwithstanding this declaration is  
22 willing to say this is everybody who is hospitalized, then I  
23 guess we can proceed with this. I mean, I don't -- without the  
24 document, I don't know whether I even believe that to be true;  
25 but this has hundred names on it.

09:26:31

1 THE COURT: Ms. Vasquez, is that an omission -- an  
2 accidental omission on the declaration? Are you saying -- are  
3 you representing this document is accurate?

4 MS. VASQUEZ: It's my understanding, your Honor --  
09:26:47 5 it's my understanding that the information that TDCJ receives  
6 regarding hospitalizations is very informal. It's by phone  
7 calls, and it's information that's transmitted.

8 So, it's my understanding that there is no  
9 document that -- that is underlying this chart that was created.  
09:27:07 10 This is what TDCJ knows regarding the hospitalizations from the  
11 Pack Unit related to COVID-19.

12 I don't know what the purpose, you know,  
13 Plaintiffs want to use this document for, this information for.

14 THE COURT: Well, but whatever they want to use it  
09:27:26 15 for, it would be helpful to know that the document is accurate.

16 Let me ask about the negative tests. How do you  
17 arrive at that number? All the tests -- all the tests that were  
18 used as to the entire population including retests? Is that it.

19 MS. VASQUEZ: That's correct, your Honor.

09:27:51 20 THE COURT: So, we don't know if one inmate was tested  
21 four times, another was tested zero times?

22 MS. VASQUEZ: The way that the Strike Team testing  
23 works, your Honor, is they start by testing everybody at the  
24 Pack Unit. Then, the next Strike Team test tests the people who  
09:28:10 25 were not previously tested or that test negative. And then, it

1 goes from there.

2 So, the tests that are being performed, they test  
3 all offenders who previously tested negative or who have not  
4 been tested before.

09:28:29 5 THE COURT: Okay. Well, let's not delay the substance  
6 of the hearing any longer. We can address this issue later if  
7 it becomes relevant.

8 I think we agreed that we'd start with opening  
9 statements of 15 minutes duration or less. Is that right?

09:28:43 10 MS. VASQUEZ: Yes, your Honor.

11 THE COURT: Is there anything else we need to do  
12 before opening statements?

13 (No response.)

14 THE COURT: Okay. Then, let's go ahead with  
09:28:57 15 Plaintiffs' opening statement.

16 MR. COWLES: Your Honor, may I address a couple of  
17 issues? I apologize. We're trying to mute and unmute. This is  
18 Shawn Cowles.

19 THE COURT: Yes, sir. Go ahead.

09:29:09 20 Yes, sir, go ahead.

21 Mr. Cowles.

22 MR. COWLES: Can you hear me now, your Honor?

23 THE COURT: I can hear you fine. Can you hear me?

24 MR. COWLES: Now, I can. Sorry about that.

09:29:22 25 There are just two housekeeping issues before we

1 move to opening statements, your Honor, if we may.

2 THE COURT: Okay.

3 MR. COWLES: First, we had requested -- and I have a  
4 feeling I know the Court's order; but I just wanted to get this  
09:29:35 5 official. We had requested an advisory jury pursuant to Federal  
6 Rule of Civil Procedure, Rule 39. Has the Court denied that  
7 request?

8 THE COURT: Yeah, I'm going to deny that. I -- for a  
9 number of reasons. The most significant is I have not since  
09:29:51 10 mid-March asked any jurors to report for duty. I'm concerned  
11 about the ramifications to their health.

12 MR. COWLES: Understand, your Honor.

13 And then, secondly, last question. I apologize  
14 for not keeping up with the technology. I'm sure it will get  
09:30:08 15 better as we go through our first Zoom trial here. But on our  
16 motion in limine, did the Court deny that?

17 THE COURT: Yes.

18 MR. COWLES: Okay.

19 THE COURT: I don't worry too much about motions in  
09:30:18 20 limine when I'm sitting without a jury because I don't think  
21 there is anybody who will be misled or enraged by statements  
22 that I think are clearly irrelevant.

23 Okay, let's proceed with opening statements then.

24 MR. KEVILLE: Thank you, your Honor. John Keville for  
25 the Plaintiffs.

1 THE COURT REPORTER: I'm sorry. Before you start, for  
2 some reason I can't see anybody. It says, "You are viewing  
3 Plaintiffs' exhibit display." Is that something that -- am I  
4 the only one who can't see anyone?

5 THE COURT: I can see Mr. Keville, and I can see  
6 Ms. Vasquez, and I've been able to see --

7 THE COURT REPORTER: Okay. I'm good. I'm good.  
8 Thank you. I'm sorry.

9 MR. KEVILLE: Okay. I think that's just a function  
09:31:11 10 that we're going to put up some slides during the opening. So,  
11 it may go back and forth.

12 All right. Are we ready?

13 THE COURT: Yes.

14 THE COURT REPORTER: Yes.

09:31:15 15 MR. KEVILLE: All right. Good morning.

16 Your Honor, as this Court knows and everyone on  
17 the call knows, COVID-19 is one of most fast-moving, highly  
18 contagious, infectious diseases we've ever seen in this country  
19 requiring us to social distance, wear masks, avoid big crowds,  
09:31:35 20 and stay in our homes as much as possible.

21 But inmates in prisons can't do many of these  
22 things and are disproportionately at risk. And the Pack Unit is  
23 much more so. It's the highest risk among the high risk and the  
24 hardest hit.

09:31:49 25 The Pack Unit is not a common Texas prison. It

09:32:08

1 houses around 1200 inmates, more than 800 of whom are over 65;  
2 many others with comorbidities that make them especially  
3 vulnerable. These numbers, your Honor, are from earlier  
4 official statistics we have. I think the number now is 1179 or  
5 in that range.

09:32:24

6               Nevertheless, the vast majority of the inmates in  
7 the Pack Unit are elderly and have other health issues that make  
8 them extremely high risk. They live in dorms that have short  
9 walls, providing no separation from those around them that would  
10 protect them from COVID-19.

09:32:41

11               This is -- showing on the screen Plaintiffs'  
12 Exhibit 226 at 24. This comes from Warden Herrera's declaration  
13 for the preliminary injunction hearing. You'll note in this,  
14 your Honor, the low walls that the inmates have which do not  
15 prevent separation and have them very closely packed together.

09:33:02

16               And you'll also note the inmate janitor in the  
17 background after the lockdown, after the regulations, the  
18 Guidance 14.52 that they put in place, is cleaning wearing no  
19 gloves.

09:33:18

20               Now, in the preliminary injunction hearing and  
21 before, Dr. Young warns that the Pack Unit was like a tinder box  
22 where COVID-19 virus would spread rapidly if immediate action  
23 was not taken. He explained that Leonard Clerkly's death was a  
24 spark.

25               Dr. Young and Dr. Gathe stressed the need for a

1 plan for repeated testing among other cautions. After hearing  
2 the evidence, the Court ordered Defendants to immediately make  
3 such a plan and to put in place common sense CDC-recommended  
4 safeguards.

09:33:33

5 Unfortunately, instead of heeding the experts'  
6 warnings and following this Court's guidance, TDCJ sought and  
7 was granted a stay of the injunction preliminarily on the basis  
8 that the inmates had not exhausted their administrative  
9 remedies; and now, COVID-19 at the Pack Unit is a raging fire.

09:33:53

10 Your Honor, what we have is a comparison of the  
11 COVID-19 positivity rate from the State of Texas where the  
12 positive rate is 8.84 percent, to TDCJ across all prisons where  
13 the positivity rate is 8.45 percent, to the Pack Unit where it's  
14 38.41 percent, six times the number across all the other TDCJ  
15 prisons -- five times roughly.

09:34:17

16 And I'm not sure where the disconnect is where  
17 Mr. Cowles this morning said 481 positive. The documents they  
18 have produced show 487 discrete individual positives; but  
19 nonetheless, it's an astounding large number.

09:34:37

20 Nineteen people are dead. Much has been heard  
21 from Defendants already about the need for class members to  
22 exhaust their grievance remedies before filing, but TDCJ's  
23 grievance procedure was not capable of use to obtain relief in  
24 the face of the COVID-19 pandemic, and instead, was a literal  
25 dead-end, as these numbers clearly show; and TDCJ knows and knew

09:34:55



1 that.

2 A month after arguing for a stay based on the  
3 failure to exhaust the grievance process, on May 26, TDCJ  
4 changed the policy and cut the grievance time from its original  
09:35:12 5 80-to-160 days down to no more than 30 days. TDCJ recognized  
6 the timeline was too long under the original grievance policy  
7 and that a much faster policy was needed in this fast-pace  
8 pandemic. That's why we can say for certain the original policy  
9 provided no available remedies.

09:35:33 10 Beyond that, to establish an 8th Amendment  
11 violation based on a failure to prevent harm, we must show, one,  
12 that the inmates are incarcerated under conditions posing a  
13 substantial risk to serious harm. I trust that is not really in  
14 dispute with COVID-19 already having killed 19 and infected over  
09:35:51 15 400.

16 Second, we must show that the prison officials'  
17 failure to act manifests a deliberate indifference toward that  
18 risk; and there are two ways, your Honor, that we will show  
19 deliberate indifference: You will hear --

09:36:04 20 (Interruption.)

21 THE COURT: Go ahead, Mr. Keville.

22 MR. KEVILLE: First, your Honor, you will hear that  
23 TDCJ adopted guidelines, its policy 14.52, intended to be based  
24 on the CDC guidance; but having a policy alone doesn't save  
09:36:26 25 lives; and the evidence will show that the Defendants often pay

1 lip service to what their policies require.

2 In addition to Mr. Valentine and Mr. King, you  
3 will hear testimony from ten other inmates, each of whom will  
4 explain how much TDCJ ignores its own policies; and just for a  
09:36:42 5 few examples to preview what you'll hear: As to isolating  
6 COVID-19 positive results, Policy 14.52 says, "Offenders should  
7 be kept in medical isolation until at least three days, 72  
8 hours, have passed since recovery defined as, one, resolution of  
9 fever without the use of fever reducing medications; two,  
09:37:04 10 improvement in respiratory symptoms, e.g., cough, shortness of  
11 breath; and three, at least 14 days have passed since symptoms  
12 have appeared.

13 You'll hear from Mr. Beal, one of the inmates at  
14 the Pack Unit, who tested positive but then was put back into  
09:37:22 15 Dorm 17 after a 14-day quarantine even though he was still  
16 symptomatic, including coughing, shortness of breath; but he had  
17 no fever. He told medical and security personnel that he had  
18 these other symptoms, and both told him they were following the  
19 policy, and there was nothing they could do.

09:37:39 20 As another example of what you will hear: Policy  
21 14.52 also requires cleaning. "During the COVID outbreak" --

22 The next slide, if you could, Allen.

23 "During the COVID outbreak, all units should  
24 disinfect common areas and surfaces that are often touched with  
09:37:57 25 a ten percent bleach solution." It also requires "Thoroughly

1 cleaning and disinfecting all areas where suspected or confirmed  
2 COVID-19 cases spent time.

3 "Staff and offenders performing cleaning should  
4 wear gloves and gowns." We've already seen they've put in their  
09:38:11 5 own evidence of inmates cleaning without gloves.

6 In arguing against the preliminary injunction  
7 with regard to enhanced cleaning, TDCJ said this.

8 Go to the next slide, Allen.

9 No, that's not it.

09:38:28 10 So, what TDCJ just said, your Honor --

11 You can put -- there we go.

12 They said to this Court what Pack has done  
13 regarding this item -- and that's the cleaning. Said, again,  
14 there's one, at least one inmate janitor assigned to clean each  
09:38:41 15 common area. There are at least four janitors assigned to the  
16 E Dorm and at least three janitors assigned to the trustee camp.

17 Also, there are additional janitors assigned to  
18 the infirmary, laundry, and kitchen. They all work 12-hour  
19 shifts in which they are permitted breaks; and as part of their  
09:38:58 20 duties, they are -- the officers are assigned to monitor and  
21 observe these janitors cleaning to ensure the cleaning is  
22 happening and is on a consistent basis. That's what they told  
23 this Court.

24 You'll hear testimony, your Honor, from Mr. Dove,  
09:39:12 25 one of those inmate janitors. He is, essentially, blind and in

1 a wheelchair; and he cannot perform these critical functions.  
2 It is the height of deliberate indifference to say that a blind,  
3 wheelchair-bound inmate is responsible for cleaning during  
4 COVID-19.

09:39:30

5 You'll hear testimony from the inmates regarding  
6 other things TDCJ hasn't done, such as guards not always wearing  
7 masks and guards cross-contaminating dorms. You'll hear they're  
8 not always providing additional soap, that they have not  
9 increased the number of janitors, that they have not increased  
10 the amount of cleaning supplies provided for many of the  
11 inmates, that they have not reassigned bunks to achieve more  
12 space, that they're not cleaning the showers, that they're not  
13 making accommodations for the mobility-impaired.

09:39:47

14 If TDCJ and its staff do not implement and comply  
15 with the guidance, their own guidance, that is deliberate  
16 indifference; and that is one way the evidence will prove  
17 deliberate indifference.

09:40:04

18 The second way is that its deliberate  
19 indifference to treat the Pack Unit the same as every other  
20 prison in Texas with regard to COVID-19.

09:40:19

21 You will hear that TDCJ knew the Pack Unit was a  
22 higher risk population from the very start of this pandemic, but  
23 they adopted a one-size-fits-all policy, and one size did not  
24 fit all.

09:40:33

25 The inmates at the Pack Unit are paying the price

1 for that indifference. The numbers are indisputable as I showed  
2 before: 487 positive, 19 dead. 19 dead is 20 percent of the  
3 deaths in the -- across the entire system. The Pack Unit is one  
4 of 100 units, and they have 20 percent of the deaths from  
5 COVID-19.

09:40:56

6 So, what are Plaintiffs asking for? Plaintiffs  
7 aren't asking for things, your Honor, that will make their lives  
8 more comfortable. They're only asking for what they need to  
9 survive: soap, hand sanitizer, disinfectants, cleaning  
10 materials, protective masks, appropriate distancing,  
11 dedensification of the dorms, testing and retesting,  
12 quarantining, and restrictions on movements.

09:41:15

13 In conferences, Defendants have said several  
14 times, compared themselves to the worst disaster areas of  
15 COVID-19 telling this Court that TDCJ at the Pack Unit is doing  
16 better than nursing homes in New Jersey. That's not the  
17 standard that we hold ourselves to in Texas: being better than  
18 the very worse.

09:41:32

19 Nineteen men have died so far. More are likely  
20 to. The Pack Unit is one unit out of hundred with 20 percent of  
21 the deaths. We must have compassion for the men, the prisoners,  
22 at the Pack Unit, many of whom are elderly and infirm and at the  
23 highest risk for severe disease and death in this pandemic but  
24 men who have the least control and depend entirely on TDCJ.

09:41:47

25 Many have already died because TDCJ has been indifferent to the

09:42:09

1 heightened risk and the heightened needs of the Pack Unit.

2           The Plaintiffs here are simply asking this Court  
3 to protect their Constitutional rights under Section 1983 and  
4 the ADA Rehab Act. A permanent injunction is desperately needed  
09:42:29 5 to contain the fire and save lives at the Pack Unit, and that is  
6 what we are requesting.

7           Thank you. Your Honor.

8           THE COURT: Thank you very much.

9           Okay. Ms. Vasquez or --

09:42:44 10           MR. COWLES: Your Honor, this is Shawn Cowles with the  
11 Texas Attorney General's Office. If you'll bear with me one  
12 moment.

13           THE COURT: Sure.

14           MR. COWLES: I think we're having some technology  
09:42:53 15 issues. But let me see if I can use -- are you able to hear me,  
16 your Honor?

17           THE COURT: I can hear you fine, yeah. I can see you,  
18 too.

19           MR. COWLES: Let me pull up our share screen document.  
09:43:08 20 Bear with me one moment, your Honor.

21           Your Honor, are you seeing up on the screen our  
22 PowerPoint?

23           THE COURT: I can see it, yeah.

24           MR. COWLES: Okay, great.

09:44:15 25           So, may it please the Court, again, my name is

1 Shawn Cowles with the Texas Attorney General's Office on behalf  
2 of Defendants Bryan Collier, Robert Herrera, and the Texas  
3 Department of Criminal Justice.

4 Your Honor, this case is not about COVID-19  
09:44:41 5 because it's undisputed COVID-19 is a lethal viral killer where  
6 no person and no --

7 (Technical interference.)

8 -- is immune. Instead, this case boils down to  
9 two words: deliberate indifference. This case is about TDCJ's  
09:44:58 10 response to COVID-19.

11 Let's look at these two words: "deliberate" and  
12 "indifference." Intentional, purposeful, uninterestedness,  
13 intentionally unconcerned. This is what the Fifth Circuit --

14 (Technical interference.)

09:45:15 15 THE COURT REPORTER: Mr. Cowles, I'm having --  
16 Mr. Cowles, I'm having a really hard time. You're fading in and  
17 out.

18 THE COURT: Maybe you can get closer to the mike.

19 MR. COWLES: Yeah. I think, you know, this is just a  
09:45:42 20 technology problem, your Honor. I'm going to switch computers,  
21 if that's all right.

22 THE COURT: Yeah.

23 MR. COWLES: So the reporter can hear me better.

24 Your Honor, can you see and hear me any better  
09:46:41 25 now?

1 THE COURT: I definitely hear you.

2 Gayle, can you hear?

3 THE COURT REPORTER: Yes, I can hear him better.

4 MR. COWLES: Thank you.

09:46:49 5 All right. Well, I'm going to pick up, your  
6 Honor, where I left off. So --

7 I'm sorry. Maybe the court reporter wasn't able  
8 to hear me. Do you want me to -- can you tell me, Madam Court  
9 Reporter, what the last thing you were able to hear me say was;  
09:47:05 10 and I'll be able to pick up.

11 THE COURT REPORTER: Yes. Hold on one second.

12 "Let's look at these two words: 'deliberate' and  
13 'indifference.'

14 MR. COWLES: Okay. I'll beginning from there then.  
09:47:27 15 Thank you.

16 What does "deliberate indifference" mean? It  
17 means intentionally ignoring, purposely disregarding, willfully  
18 uninterested, intentionally unconcerned.

19 The Fifth Circuit in *McCormick versus Stalder*  
09:47:46 20 say, quote, "Deliberate indifference encompasses only  
21 unnecessary and wanton infliction of pain repugnant to the  
22 conscience of mankind."

23 So, this case is about deliberate indifference;  
24 but it's also in the context of COVID-19 which we know is lethal  
09:48:12 25 viral killer. And we've all become familiar in this case with a



1 gentlemen named Leonard Clerkly. Leonard Clerkly,  
2 unfortunately, was the first person from the Pack Unit amongst  
3 the offenders to test positive for COVID-19

4 Leonard Clerkly passed away at a hospital April  
09:48:39 5 11th of this year and then tested positive for COVID-19 two days  
6 later. It's a tragedy, your Honor, that Leonard Clerkly isn't  
7 with us today. No one wanted that result, no one on this Zoom  
8 trial conference call that we're having, no one at TDCJ, no one  
9 at the Pack Unit, none of the offenders.

09:49:04 10 The unfortunate reality is that COVID-19 is a  
11 killer despite the best efforts of countries around the globe  
12 including our own, despite the efforts of the states in the  
13 United States, despite the efforts of TDCJ at the Pack Unit.  
14 COVID-19 is a lethal viral killer. No one is going to dispute  
09:49:35 15 that in this trial from our side, and I'm confident no one from  
16 the Plaintiffs' side is going to dispute that.

17 But the real issue is did TDCJ respond to  
18 COVID-19 at the Pack Unit with a deliberate indifference? And  
19 your Honor, I would like to address head on the elephant in the  
09:49:56 20 room. I understand that the Court has lost faith to a certain  
21 degree in TDCJ, and your trust has been broken down because of  
22 other cases; most notably, it sounds like the heat case.

23 I'm sorry that this has occurred. I wasn't  
24 involved in the heat case. In fact, I wasn't even at the AG's  
09:50:16 25 office when that case was occurring; but it sounds like some

1 very unfortunate things occurred in that case; and I'm sorry for  
2 that.

3           The question I've been asking myself is how can  
4 trust be rebuilt between this Court; TDCJ; myself, as we're just  
09:50:34 5 getting to know each other. It's my first time appearing before  
6 your Honor in this case. I can tell you there are new people on  
7 our side, your Honor, which is true; but I don't believe that  
8 would persuade you to begin trusting our side right now.

9           But here's what I do believe should persuade the  
09:50:52 10 Court to start trusting our side: motive. TDCJ is  
11 incentivized, your Honor, to rely upon the leading medical  
12 experts, to act promptly, to reasonably respond to the risk of  
13 COVID-19 because the offender population at the Pack Unit and  
14 the TDCJ staff and officers are so interconnected,  
09:51:23 15 intermingling, interacting that it would be impossible to  
16 protect one group without protecting the other group.

17           Therefore, even if one were to assume that TDCJ  
18 only wanted to protect its officers and staff, TDCJ necessarily  
19 would be required to protect the Pack Unit offenders because to  
09:51:48 20 protect one group is to protect the other and to not protect one  
21 of the groups is to leave everyone exposed to the ravages of  
22 COVID-19 at the Pack Unit.

23           Well, how did TDCJ rely upon its medical experts,  
24 your Honor? TDCJ deliberately relied upon medical healthcare  
09:52:13 25 experts to inform and guide the measures taken by TDCJ in

1 response to the COVID-19 pandemic. These experts include TDCJ's  
2 Health Services Division, and you'll hear from Dr. Lannette  
3 Linthicum from that division.

4           These experts also included TDCJ's university  
09:52:33 5 medical partners at UTMB and Texas Tech University. TDCJ  
6 purposely relied upon Policy B-14.52 that the Court is going to  
7 hear a lot about in this case which was prepared by the  
8 Correctional Managed Healthcare System. It has three directors,  
9 a combination of Dr. Lannette Linthicum, the medical  
09:52:56 10 professionals at UTMB and at Texas Tech. TDCJ deliberately also  
11 relied upon the CDC guidance for correctional and detention  
12 facilities to formulate their response to COVID-19.

13           I heard the Court state something to the effect  
14 that there was a concern your Honor had about whether TDCJ would  
09:53:18 15 have done anything without this lawsuit. The undisputed facts  
16 are that before this lawsuit was filed TDCJ deliberately  
17 participated on March 16, 2020, in a meeting with the Joint  
18 Infection Control Committee that decided to create a new policy  
19 to expressly address this novel Coronavirus and COVID-19.

09:53:44 20           Also before the lawsuit on March 20, 2020,  
21 intentionally adopted CMHC's Policy B-14.52 which was posted on  
22 TDCJ's website the very same day. Three days later after the  
23 14:52 policy was adopted by TDCJ, the CDC guidelines for  
24 correctional and detention facilities -- correctional  
09:54:10 25 institutions and detention facilities were published by the CDC.

1                   What did TDCJ do in response? Four days later on  
2 March 27th, TDCJ adopted its first revision to Policy B-14.52.  
3 Your Honor, there were six subsequent updates to the original  
4 version of the B-14.52 policy which apply to all the TDCJ  
5 institutions including the Pack Unit.

09:54:39

6                   There are other actions that TDCJ took in  
7 response to COVID-19 before this lawsuit was filed. In late  
8 February, TDCJ increased the cleaning and disinfecting at the  
9 Pack Unit. TDCJ also engaged in daily briefings in March with  
10 DSHS, Department of State Health Services.

09:55:00

11                   On March 4th, there was a meeting between the  
12 executive director of TDCJ, Bryan Collier; Dr. Lannette  
13 Linthicum; Texas Tech University; and UTMB to address how to  
14 respond to COVID-19. On March 9th, daily briefings began  
15 regarding how to address TDCJ.

09:55:22

16                   On March 12th, an educational video was produced  
17 which was shown and still is shown at the Pack Unit about how to  
18 respond to COVID-19, proper and good practices for healthy  
19 hygiene. TDCJ also participated in daily conference calls with  
20 UTMB and Texas Tech University beginning in the middle of March.

09:55:44

21                   TDCJ on March 13th suspended the in-person  
22 visitation at the Pack Unit in order to effectively have the  
23 Pack Unit offenders sheltered in place from people coming in  
24 from the outside to visit.

09:56:04

25                   On March 16th, TDCJ set up a command center at

1 its headquarters to address its responses to COVID-19. This  
2 command center is similar to what TDCJ has set up in the past  
3 for Hurricane Katrina, other hurricanes, other natural  
4 disasters.

09:56:26 5 Subsequently, the evidence is going to show, your  
6 Honor, TDCJ also set up a strike command center at the TDCJ  
7 headquarters to address and organize the Strike Team testing  
8 that this Court is going to hear about that the offenders at the  
9 Pack Unit went through in order to determine who had tested  
09:56:48 10 positive and who hadn't.

11 There's a third command center at TDCJ's  
12 headquarters, your Honor. It's a strike command center for the  
13 Correctional Institutions Division of TDCJ that has been set up  
14 to monitor and address the Strike Team testing.

09:57:05 15 So, well before this lawsuit was ever filed, TDCJ  
16 was taking prompt action that was even ahead of CDC when the CDC  
17 guidelines for correctional institutions was delivered -- was  
18 published.

19 TDCJ acted deliberately to plan its response even  
09:57:27 20 before Governor Abbott issued his statewide disaster  
21 proclamation which occurred before this lawsuit was filed. TDCJ  
22 continued in close communication with its medical partners  
23 before and continued after this lawsuit was filed regarding the  
24 appropriate response to COVID-19 at the Pack Unit.

09:57:54 25 On March 11th, your Honor, the Pack Unit

1 instituted screening protocols for the visitors -- visitor  
2 screening before they were coming in which was subsequently  
3 closed off as the pandemic increased in its intensity.

4           Your Honor, TDCJ has acted promptly to respond to  
09:58:17 5 this COVID-19 which -- you know, it's important to take a step  
6 back here in the middle -- almost the middle of July now -- that  
7 just came into our country this year. All of these events are  
8 in the year 2020.

9           And TDCJ, the evidence is going to show, has  
09:58:35 10 acted in a prompt fashion by advising its employees who are ill  
11 or running a fever of 100.4 degrees or higher to stay at home,  
12 began implementing COVID-19 screening for employees that fell  
13 ill at work.

14           On March 24th, your Honor, TDCJ intentionally  
09:58:56 15 minimized transfers between units based upon an agency and  
16 case-by-case need -- needed basis. TDCJ's prompt response also  
17 included manufacturing COVID-19 signs and posters to increase  
18 the educational awareness of the offenders at the Pack Unit  
19 about how to practice good hygiene.

09:59:19 20           They prepared an offender pamphlet, an offender  
21 pocket card. They disseminated the information and posted it in  
22 high traffic areas at the Pack Unit in order to educate the  
23 offenders about the risk of COVID-19 and what they could do to  
24 protect themselves.

09:59:36 25           TDCJ intentionally inventoried existing

09:59:58

1 stockpiles of PPE, personal protective equipment, masks, gloves,  
2 gowns; began to acquire additional PPE for the Pack Unit and its  
3 other units. TDCJ began deliberately manufacturing cloth masks,  
4 face shields, plastic gowns as a supplement to its PPE at the  
5 TDCJ factories or manufacturing places that it had.

10:00:22

6 Your Honor, after Leonard Clerkly tested positive  
7 on April 13th, on that same day the order was issued in the  
8 evening, implemented the next day, for precautionary lockdown at  
9 the Pack Unit; under this precautionary lockdown, the offenders  
10 who had been previously advised before the precautionary  
11 lockdown. And social distancing was enforced when the offenders  
12 lined up to go to the chow line.

10:00:39

13 Instead of four offenders at a table before the  
14 precautionary lockdown, that was reduced to two offenders in  
15 order to practice social distancing. Social distancing was  
16 enforced by the TDCJ officers as the offenders were lining up at  
17 their pill window before the precautionary lockdown.

10:00:53

18 But after the precautionary lockdown, in order to  
19 enforce an even further quarantine, the offenders are now fed as  
20 of April 14th through the present date in their dormitories at  
21 their cubicles to minimize the risk of coming in contact with  
22 each other. Also, the offenders are no longer having to line up  
23 at a pill window, your Honor. The offenders are able to receive  
24 their medicines in their own dorm.

10:01:13

25 In response to Leonard Clerkly's positive test,

1 what did TDCJ do? TDCJ purposefully tested all of the offenders  
2 in Mr. Clerkly's dorm. All of the test results from  
3 Mr. Clerkly's dorm-mates came back negative.

4 TDCJ has also responded reasonably, your Honor,  
10:01:36 5 to the risk of COVID-19. TDCJ produces its own hand soap, and  
6 offenders are given adequate supplies of hand soap for use by  
7 them and the staff. In fact, the offenders are given five bars  
8 of soap, the evidence will show, your Honor, per week; and  
9 they're able to request more if they run out.

10:01:55 10 Their soap as they're entering into the shower  
11 that the offenders can grab on the way, and they're given the  
12 opportunity to shower on a daily basis if they want. TDCJ  
13 enhanced the cleaning and disinfection of the Pack Unit facility  
14 in response to COVID. TDCJ also implemented a number of the  
10:02:16 15 social distancing measures that I've already talked about and  
16 we'll discuss further in the course of this case.

17 One issue that I want to address, your Honor, is  
18 the difference between a medical issue and a security issue. A  
19 medical issue, your Honor, concerns hand sanitizer; and you  
10:02:37 20 won't hear any disagreement from the Defendants' experts that  
21 hand sanitizer can be one of the items used for a good hygiene  
22 practice.

23 But what you will hear, your Honor, is that hand  
24 sanitizer poses a security issue. That's a twofold security  
10:02:57 25 issue. First, hand sanitizer is alcohol-based. It's supposed



1 to be made with 60 percent alcohol, your Honor, which alcohol  
2 can be used as an accelerant to start and intensify a fire.

3           The alcohol-based hand sanitizer can also be  
4 adjusted. Reality in the Pack Unit as well as a number of other  
10:03:21 5 institutions is that there have been substance abuse problems;  
6 and unfortunately, during this pandemic, two inmates at a Nevada  
7 correctional institution died after drinking the hand sanitizer  
8 which necessitated the Nevada correctional institution to remove  
9 the hand sanitizer from all of its facilities.

10:03:41 10           So, your Honor, the issue isn't whether  
11 Plaintiffs think it would be more reasonable, more appropriate  
12 to provide hand sanitizer or even if the Court disagrees with  
13 TDCJ's recent decision to not supply hand sanitizers in order to  
14 protect the offenders because soap and water is readily  
10:04:07 15 available and TDCJ is complying with the CDC guidelines for  
16 making soap and water available.

17           It's considered relaxing the restrictions on hand  
18 sanitizer and made the deliberate determination that the  
19 security risks are too great relative to the benefit when  
10:04:20 20 offenders can wash their hands with soap and water as often as  
21 they like, essentially, at the Pack Unit.

22           So, the issue isn't even whether the Court  
23 disagrees, finds that policy inadequate. The issue again comes  
24 back to our two words that this case is about: deliberate  
10:04:36 25 indifference. There is no evidence that TDCJ acted deliberately

1 indifferent to the risks of COVID-19 for the offenders at the  
2 Pack Unit with regard to hand sanitizer or with regard to soap.

3 I'd just like to real quickly move through, your  
4 Honor, TDCJ's response has been reasonable; and these are some  
10:05:00 5 of the signs or posters or items that are at the Pack Unit in  
6 response to COVID-19 and continue to remain up at the Pack Unit.

7 If we can scroll down further.

8 Bear with me one moment, your Honor. I think we  
9 have a technological issue.

10:05:32 10 THE COURT: Okay.

11 MR. COWLES: Your Honor, I'm afraid my computer where  
12 my PowerPoint is on just crashed. We'll pull that back up or  
13 change out my --

14 THE COURT: We can do that later, yeah.

10:05:59 15 MR. COWLES: My colleague is going to pull this up on  
16 his computer, I believe.

17 THE COURT: Your 15 minutes has been exceeded. How  
18 much more do you have?

19 MR. COWLES: Your Honor, if I can just, after we get  
10:06:15 20 this up and rolling, have two more minutes, I will close things  
21 out.

22 Your Honor, I just wanted to -- we'll start up;  
23 and I'll close out in two minutes, your Honor. These are just  
24 some of the slides I just want to go through real quickly to  
10:07:28 25 show what's been posted to educate the offenders about what they

1 can do to prevent the spread of COVID-19, how they can control  
2 the risks.

3 Are we able to scroll down?

4 Again, additional pamphlets, posters that are up  
10:07:45 5 there, what can be done; identifying the symptoms; how to stop  
6 germs; wash your hands for 20 seconds with the soap and water.  
7 On the right, your Honor, those are the bars of soap, one of the  
8 boxes, the many that are at the Pack Unit; cleaning supplies;  
9 the PPE on the left.

10:08:03 10 If we can keep scrolling down.

11 So, lastly, your Honor, I just want to address  
12 one final point in the last minute I have. You've heard from  
13 the Plaintiffs' counsel that they think that the 19 deaths  
14 demonstrate that TDCJ's policy and implementation was  
10:08:20 15 insufficient or inadequate.

16 Your Honor, that is not the standard that is used  
17 by the US Supreme Court to determine whether the Defendants can  
18 be found liable in this case. Instead, this case, again, comes  
19 down to those two words, whether TDCJ acted with a deliberate  
10:08:36 20 indifference.

21 And your Honor, I tried to come up with the best  
22 analogy that I could for this standard in the application to the  
23 real world. I found a medical journal article. It stated that  
24 there are 131 million surgeries performed throughout the world  
10:09:00 25 every year. Of those 131 million surgeries, within 30 days 4.2

1 million people, unfortunately, pass away.

2                   What the surgeons are doing in attempting to save  
3 lives does benefit the vast majority of people, but the  
4 unfortunate reality of the world that we live in is that in that  
10:09:27 5 case 4.2 million people died within 30 days from the surgery.  
6 It's, like, the unfortunate reality for the Pack Unit is that  
7 there have been 19 offenders who have died and tested positive  
8 for COVID-19.

9                   It's an unfortunate reality 135,000 Americans  
10:09:46 10 have dialed. It's an unfortunate reality 569,000 people  
11 worldwide from the last information that I have seen have died.  
12 But the numbers do not establish bad policy or bad  
13 implementation or inadequate implementation of the policy.

14                   Even if they did, your Honor, that is not the  
10:10:05 15 standard. The standard is deliberate indifference; and your  
16 Honor, the relevant numbers are just like the surgeons across  
17 the globe save 127 million lives per year, TDCJ has saved the  
18 lives of 1,160 inmates so far at the Pack Unit because of these  
19 deliberate measures that were reasoned and considered and  
10:10:33 20 implemented promptly based upon the leading medical authority's  
21 guidance and recommendations and have been implemented in the  
22 most reasonable fashion, the evidence is going to show, at trial  
23 today.

24                   We submit that the Plaintiffs -- their evidence  
10:10:49 25 goes to a different standard of reasonableness, of inadequacy,

1 of insufficiency when the legal standard articulated by the  
2 Fifth Circuit, the United States Supreme Court in this case is  
3 one of deliberate indifference for which there's no evidence the  
4 Plaintiffs will be able to establish, let alone persuade the  
10:11:07 5 Court, that they met their burden.

6 And with that, I will stop, your Honor.

7 Thank you.

8 THE COURT: Okay, thank you.

9 Do we want to pre-admit exhibits?

10:11:20 10 MR. KEVILLE: Your Honor, this is John Keville for the  
11 Plaintiffs. We do want to pre-admit exhibits. Unfortunately,  
12 we have a couple of issues. They were unable to discuss that  
13 with us last night. Mr. Cowles said he did not have the time.

14 Number 2, we got their exhibits; and none of  
10:11:37 15 their exhibits have numbers on them. So, we can't tell from  
16 page 1 to page 1,000 where exhibits start and end without  
17 guessing. So, it's going to be very difficult; and we've asked  
18 them to give us actual exhibit numbers; and we haven't received  
19 that yet.

10:11:52 20 THE COURT: Okay. We'll just have to take it exhibit  
21 by exhibit then.

22 MR. COWLES: Your Honor, may I address one point in  
23 response?

24 THE COURT: Yes, sir.

10:12:00 25 MR. COWLES: We did speak with the Plaintiffs' counsel

1 last night. We had a conversation. Plaintiffs' counsel told me  
2 it was seven minutes long. The problem was Plaintiffs' counsel  
3 before our conference call at 8:00 o'clock last night, 21  
4 minutes before, sent us an amended exhibit list.

10:12:13 5 It just identified 16 new documents. It was 27  
6 pages long. It did not initially contain the documents. They  
7 subsequently provided them, but I did not have time 21 minutes  
8 before -- they scheduled the conference call -- when they sent  
9 us 16 new exhibits that were identified which we didn't have, to  
10:12:33 10 go through their last minute attempt to change the nature of  
11 this trial.

12 And Plaintiffs' counsel, I would submit, have  
13 been engaged in a trial by ambush which is entirely unfair.  
14 They've amended their witness list. They continue to change  
10:12:49 15 things. And this is not only a COVID-19 pandemic situation that  
16 we're dealing with, this is a trial three and a half months  
17 after the complaint was filed.

18 We are doing everything that we reasonably can I  
19 want to assure this Court; and to say that we didn't have time,  
10:13:05 20 the context is important. When I'm given an amended exhibit  
21 list 21 minutes before a scheduled conference call at 8:00  
22 o'clock the night before we're going to start this trial, I  
23 think that that is misleading to this Court; and I wanted to  
24 correct that.

10:13:21 25 THE COURT: Okay. We'll just have to take the

1 exhibits as they come up then.

2 Are we ready for the presentation of evidence  
3 then?

4 MR. KEVILLE: We are, your Honor, for the Plaintiffs.

10:13:32 5 THE COURT: Do you want to call your first witness?

6 MR. KEVILLE: Yes, your Honor. We call Bryan -- oh,  
7 your Honor, I would like to invoke the rule to preclude the  
8 witnesses -- the percipient fact witnesses from TDCJ.

9 THE COURT: Any objection to enforcing the rule?

10:13:46 10 MR. COWLES: I just would like the rule to go both  
11 ways, that --

12 THE COURT: Of course. Of course.

13 MR. COWLES: -- it's going to be all witnesses are  
14 precluded other than the testifying witness. Is that what your  
10:13:57 15 Honor is going to be enforcing?

16 THE COURT: Yes. But normally -- there's arisen  
17 something of a common law exception to the rule which is that  
18 experts are not subject to it. Now, do you intend to exclude  
19 experts, too?

10:14:11 20 MR. KEVILLE: Your Honor, for the Plaintiff, we would  
21 not intend to exclude experts. I think the experts need to hear  
22 what is --

23 THE COURT: That's the reason for the exception.

24 Is that agreeable, Mr. Cowles?

10:14:25 25 MS. VASQUEZ: Your Honor, this is Christin Vasquez.

1 We agree --

2 THE COURT: You say you don't have a problem --

3 MS. VASQUEZ: -- that the experts should be able to  
4 watch the testimony. I just want to clarify for the Defendants  
10:14:38 5 that the parties, including the TDCJ 30(b)(6) witness, will be  
6 allowed to watch the testimony.

7 THE COURT: Well, the parties aren't subject to the  
8 rule at all. The parties can listen to anything they want.

9 Okay. Let's proceed and the rule will be  
10:14:56 10 invoked. Parties will be allowed to hear all the testimony.  
11 Experts will be allowed to hear all the testimony.

12 Okay. Your first witness, Mr. Keville.

13 MR. KEVILLE: Your Honor, we call Bryan Collier.

14 THE COURT: Okay. Is he going to appear in person or  
10:15:11 15 by deposition?

16 MR. KEVILLE: In person.

17 THE COURT: Okay. Mr. Collier then.

18 Mr. Rivera will administer the oath. If you'll  
19 raise your right hand, please.

10:15:45 20 Okay. Is Mr. Collier on the premises?

21 THE WITNESS: Good morning, your Honor.

22 THE COURT: Good morning.

23 Raise your right hand for the administration of  
24 the oath.

10:15:59 25 //



Collier - As On Cross/Keville

1 (The witness, **BRYAN COLLIER**, Defendant, called on behalf of  
2 the Plaintiffs, was sworn.)

3 THE COURT: Okay. Thank you, Mr. Collier.

4 Your inquiry, Mr. Keville.

10:16:16 5 MR. KEVILLE: Thank you, your Honor.

6 AS ON CROSS-EXAMINATION

7 BY MR. KEVILLE:

8 **Q** Good morning, Mr. Collier.

9 **A** Good morning, sir.

10:16:19 10 **Q** You are the executive director of the Texas Department of  
11 Criminal Justice, TDCJ, correct?

12 **A** Yes, sir.

13 **Q** Executive director is the highest position in the agency?

14 **A** Correct, yes, sir.

10:16:29 15 **Q** You oversee the activities of TDCJ?

16 **A** Yes, sir.

17 **Q** TDCJ is responsible for the operation of correctional  
18 facilities or the prison system in Texas which includes 104  
19 prisons around the state, correct?

10:16:44 20 **A** Yes, sir, that is correct.

21 **Q** The Pack Unit is one of those 104 prisons, correct?

22 **A** Yes, sir.

23 **Q** And there are a large number of staff that work at those  
24 104 prisons, correct?

10:16:58 25 **A** Yes, sir.

Collier - As On Cross/Keville

1 Q And there's a significantly larger number of inmates at  
2 those 104 prisons, correct?

3 A Yes, sir.

10:17:10

4 Q The safety of the staff and of the inmates in those 104  
5 prisons is of the utmost importance to you and to TDCJ, correct?

6 A Yes, sir, it is.

7 Q As to your specific staff, the Correctional Institution  
8 Division director is Lorie Davis, correct?

9 A Yes, sir.

10:17:25

10 Q She reports directly to you?

11 A Yes, sir.

12 Q Lorie Davis is responsible for the day-to-day operation of  
13 the Correctional Institution Division which includes the Pack  
14 Unit?

10:17:36

15 A Yes, sir.

16 Q Ultimately, you and Lorie Davis are the people responsible  
17 for the policies at the Pack Unit?

18 A Ultimately, in a global sense I think, yes, sir.

10:17:53

19 Q You understand now and you understood in March when you  
20 were beginning to plan how to deal with COVID-19 that  
21 individuals that are older and individuals with health  
22 conditions are at a higher risk if they're infected by COVID-19?

10:18:16

23 A I understood that an offender or anyone with a preexisting  
24 medical condition or anyone who is elderly could have more  
25 significant complications from COVID-19.

Collier - As On Cross/Keville

1 Q Okay and you understood that back in March when you began  
2 planning how to deal with COVID-19?

3 A Yes, sir.

10:18:30

4 Q And you knew back in March that the Pack Unit had an  
5 elderly population, older than many of the prisons in Texas?

6 A Yes, sir.

7 Q You had several talks with Warden Herrera during this  
8 pandemic, correct?

9 A Yes, sir.

10:18:42

10 Q Warden Herrera is the warden at the Pack Unit, correct?

11 A He is, yes, sir.

12 Q And you don't remember Warden Herrera ever raising anything  
13 that he wanted or needed to help prevent COVID-19 spread in the  
14 Pack Unit in your discussions with him?

10:18:58

15 A In my discussions with Warden Herrera, I don't remember any  
16 specific need that he met -- did not have met.

17 Q Yeah. My question was a little different, sir. You don't  
18 remember Warden Herrera ever raising anything that he wanted or  
19 needed to help prevent COVID-19 spread in the Pack Unit?

10:19:24

20 A I'm not aware of a specific request like that, sir.

21 Q Okay. Mr. Collier, you're a busy man, correct?

22 A I mean, I'm busy like lots of folks, yes, sir.

23 Q I mean, heck, you have the entire Texas prison system to  
24 oversee, correct?

10:19:42

25 A Yes, sir.

Collier - As On Cross/Keville

1 Q And we're about to start a trial that, at least, according  
2 to your counsel, will probably go two weeks.

3 Do you understand that?

4 A Yes, sir, I do.

10:19:51 5 Q We will hear from a number of inmates who will say that  
6 TDCJ Policy 14.52 is not being followed in certain respects.

7 Do you understand that?

8 A I understand that I may hear from those offenders; and if  
9 that's what their testimony will be, yes, sir.

10:20:08 10 Q Okay. And you understand there have been inmate grievances  
11 about COVID-19 protection, correct?

12 (Technical interference.)

13 MR. KEVILLE: Your Honor, I think there was a somewhat  
14 inaudible objection, and I think the witness is --

10:20:34 15 THE COURT: I didn't hear the objection.

16 Could you repeat it, please.

17 MS. VASQUEZ: Objection for lack of personal  
18 knowledge.

19 THE COURT REPORTER: I'm sorry. Who is speaking? And  
10:20:37 20 I can't hear you.

21 THE COURT: Is the objection --

22 MS. VASQUEZ: This is Christin Vasquez, and my  
23 objection was lack of personal knowledge, lack of foundation.

24 THE COURT: This is Ms. Vasquez objecting.

10:21:02 25 Okay. Well, the warden is an intelligent person.

Collier - As On Cross/Keville

1 If he lacks the knowledge, he can say so. I'm going to allow to  
2 the question.

3 BY MR. KEVILLE:

4 **Q** Mr. Collier, you understand that there have been inmate  
10:21:17 5 grievances about COVID-19 protection?

6 **A** I'm aware that there have been COVID-19 grievances; but of  
7 the substances of those grievances, I'm not specifically aware.

8 **Q** Okay. In fact, you changed the grievance policy across all  
9 the TDCJ units to address inmates' COVID-19 grievances quicker,  
10:21:32 10 correct?

11 **A** We modified the time frame and also created a specific code  
12 for COVID-19 grievances. The purpose behind that was to be more  
13 proactive in knowing if there were any COVID-related grievances  
14 that were filed.

10:21:45 15 **Q** And you did that at the end of May, correct?

16 **A** Yes, sir, that occurred in May.

17 **Q** Okay. And you did not apply that retroactively to  
18 grievances that were filed before the end of May, correct?

19 **A** I do not believe that we did.

10:22:01 20 **Q** Mr. Collier, you remember that I took your deposition,  
21 correct?

22 **A** I do.

23 **Q** Okay. And I know that you and TDCJ did not agree to allow  
24 inmates access to hand sanitizer so that will be a dispute for  
10:22:14 25 this trial. But perhaps, we can put the inmates' other

Collier - As On Cross/Keville

1 Constitutional violation complaints behind us by agreeing to  
2 narrow some of the issues other than hand sanitizer. And that's  
3 why we're here, correct, to resolve our disputes?

4 **A** Yes, sir, I suppose so.

10:22:31

5 **Q** Okay. I'd like to see first maybe what we can reach  
6 agreement on. So, let me ask this question to start: You agree  
7 that testing for COVID-19 is an important thing to do in order  
8 to control the spread of COVID-19?

10:22:56

9 **A** As I understand COVID-19 and the ability to test offenders  
10 for positivity or negativity of COVID-19, TDCJ has implemented a  
11 process of testing large numbers of offenders to help identify  
12 those that are positive; separate them from anyone who is  
13 negative because, COVID-19, for many people, you can have  
14 asymptomatic COVID-19 and display no symptoms or signs and,  
15 therefore, be a carrier without anyone really knowing it.

10:23:19

16 So, we have done mass testing across our system  
17 to try to identify offenders that may have it but don't have any  
18 symptoms or signs.

10:23:34

19 We also have continued to do symptomatic testing.  
20 Our two medical universities do symptomatic testing of offenders  
21 who display any signs or symptoms related to COVID-19.

22 **Q** And I appreciate you telling us what you're doing. My  
23 question was a little simpler, and I apologize if I wasn't  
24 clear.

10:23:48

25 You agree that testing for COVID-19 is an

Collier - As On Cross/Keville

1 important thing to do to control the spread of that disease?

2 MS. VASQUEZ: Objection. Calls for an expert opinion.

3 THE COURT: No. He's -- he's being offered as a -- as  
4 the executive director of TDCJ; and in that capacity, he can  
10:24:10 5 offer his best opinion. We understand he's not testifying as an  
6 expert.

7 THE WITNESS: I do understand that testing is  
8 absolutely a way to identify offenders that may have COVID-19  
9 and separate those from those who do not.

10:24:26 10 BY MR. KEVILLE:

11 Q And that's an important thing to do to control the spread,  
12 correct?

13 A I believe it is, yes, sir.

14 Q Okay. Going back to early March of this year, you and  
10:24:33 15 others at TDCJ understood that testing was an important factor  
16 in trying to control the spread of COVID-19, correct?

17 A Could you repeat your question, sir, I'm sorry.

18 Q Sure. Going back to early March of this year, you and  
19 others at TDCJ understood that testing was an important factor  
10:24:49 20 in trying to control the spread of COVID-19?

21 A I think that if you go back to March where testing was  
22 fairly limited, limited in that testing was primarily done in  
23 outside hospitals because tests themselves were hard to get, we  
24 understood that testing, obviously, was the way you validated if  
10:25:08 25 someone had COVID-19.

Collier - As On Cross/Keville

1 I couldn't say that I knew in March what I know  
2 now about testing larger populations.

3 **Q** Do you remember you were deposed just a few weeks ago, sir?

4 **A** I do, yes, sir.

10:25:20 5 **Q** Did you answer that question differently then?

6 **A** I don't recall specifically.

7 MR. KEVILLE: Allen, could you play his deposition,  
8 please.

9 BY MR. KEVILLE:

10:25:34 10 **Q** So, you were asked by Mr. Cowles: "You agree that even  
11 going back to early March, you and others at TDCJ understood  
12 that testing was an important factor in trying to control the  
13 spread of COVID-19?"

14 And you said, "Yes, sir, that's correct."

10:25:49 15 **A** Yes, sir.

16 **Q** Okay. So, do you agree now with the answer you gave in  
17 your deposition?

18 **A** I do. I also agree with what I told you just a moment ago.

19 **Q** As of June 4th, 2020, when you were deposed, there was no  
10:26:04 20 plan, formal or informal, to do any retesting at the Pack Unit,  
21 correct?

22 **A** When I was deposed, as I told you in my deposition, we were  
23 completing our Strike Team testing of 67 units and 107,000  
24 offenders. After we completed that, we were then going to  
10:26:24 25 reprioritize and identify based our healthcare providers' advice



Collier - As On Cross/Keville

1 on how we should move forward with any additional testing. And  
2 that's the status we were in when you and I talked before.

3 **Q** Did you answer that question differently when you were  
4 deposed?

10:26:42 5 **A** I believe I have would have answered then that there was  
6 not a definite plan; but I explained in my deposition, if I'm  
7 not mistaken, what I just explained.

8 **Q** Okay.

9 MR. KEVILLE: Allen, could you put up his deposition  
10:26:54 10 at page 185, line 25, through 186, line 3.

11 BY MR. KEVILLE:

12 **Q** And sir, you were asked "Well, so, currently, there is no  
13 plan to do any retesting at the Pack Unit, formal or informal?"

14 And you answered "That is correct."

10:27:10 15 Do you recall that, sir?

16 **A** I do. I also recall explaining what I just explained, that  
17 we were in the midst of completing our Strike Team testing and  
18 that, upon the completion of that Strike Team testing, we had  
19 identified that the tests would continue to be available; and we  
10:27:25 20 would be working with our healthcare providers to develop the  
21 plan to move forward, if we were going to move forward, with  
22 additional testing.

23 **Q** Sir, as of June 4, 2020, you had no specific plan, formal  
24 or informal, to do any retesting at the Pack Unit?

10:27:42 25 **A** That would be absolute correct in the literal sense.

Collier - As On Cross/Keville

1 **Q** But just this past Friday, on July 10th, when we deposed  
2 Lorie Davis, she testified that, as of June 27th, there is a  
3 plan for retesting.

4 Now, you're aware of that plan, correct?

10:27:58

5 **A** I'm aware, as I had explained earlier, after we completed  
6 our Strike Team testing, we met with our healthcare providers  
7 and developed, essentially, a plan to move forward with  
8 additional Strike Team testing. That included Strike Team  
9 testing the Pack Unit in June. I believe the second week of  
10 June.

10:28:20

11 Since then, we have also tested the Pack Unit one  
12 more time and have plans to continue to do that on a seven-day  
13 basis.

10:28:33

14 **Q** The current plan is that you will test the entire -- all  
15 the COVID-19 negatives, correct? And then, when you get the  
16 results and isolate any positives, you go back in and test the  
17 negative population again, get the results back, identify those  
18 that are still negative, retest them, and repeat until you get  
19 results back that have no positives, correct?

10:28:51

20 **A** The current plan for the Pack Unit and three other  
21 facilities would be that we would go in and do testing and then  
22 test everyone who has been negative in the past. None of the  
23 positive offenders or positive staff who have ever had a  
24 positive test will be retested.

10:29:10

25 We will test the negatives; separate, obviously,

Collier - As On Cross/Keville

1 anyone who is positive from that population; come back in seven  
2 days; retest the negative; continue to do that on a seven-day  
3 cycle until we identify no positive cases.

4           Following that, we would come back seven days and  
10:29:28 5 again seven days after that to ensure that we had no additional  
6 positives. Then, we would begin focusing our attention on  
7 testing staff at least every 14 days.

8 **Q** You authorized that plan about two, three weeks ago,  
9 correct?

10:29:46 10 **A** That would be correct, yes, sir.

11 **Q** That plan is not in writing anywhere, correct?

12 **A** Probably not at this point, no, sir.

13 **Q** There are no documents we could look at to determine the  
14 details of implementation or even that showed TDCJ has actually  
10:30:03 15 committed to this plan?

16 **A** There would be information that would reflect that we have  
17 done the first round of testing on those facilities. I'm not  
18 sure if we have done all four. I know we have done -- I believe  
19 the Pack Unit and the Duncan Unit have been completed.

10:30:20 20 **Q** Sure. That's just documents that show you're doing  
21 testing. There are no documents we could look at to determine  
22 how this plan is going to be implemented or documents that show  
23 TDCJ has committed to this plan, correct?

24 **A** At this time, that is correct.

10:30:35 25 **Q** Mr. Collier, will you address the judge and commit to the

Collier - As On Cross/Keville

1 plan that you just said you're going to do for the Pack Unit?

2 MS. VASQUEZ: Objection, your Honor. This calls for  
3 a --

4 THE COURT REPORTER: I'm sorry, I couldn't hear you.  
5 This calls for --

10:30:53

6 MS. VASQUEZ: A legal conclusion and Mr. Collier's  
7 conference with his attorneys.

8 MR. COWLES: Your Honor, I asked about no legal  
9 conclusion. I asked simply whether he would address the Court  
10 and commit to what he just testified he was going to do.

10:31:03

11 THE COURT: I think the question is legitimate.

12 THE WITNESS: Two things: One, I would need to confer  
13 with our attorneys to find out if there is additional  
14 ramifications for that; however, the testing that we are doing  
15 on the four facilities as discussed like we're doing at the Pack  
16 Unit, again, is a model developed by our healthcare partners,  
17 the university partners and Dr. Linthicum.

10:31:19

18 It is not one that -- it is possible that that  
19 plan could see multiple changes as we continue to do it because  
20 it is not based specifically on a CDC direct guideline as it  
21 relates to correctional facilities.

10:31:38

22 So, I do not know if the plan will change in the  
23 future; but on the bigger scale, I would still need to address  
24 with our attorneys if there is legal ramifications for agreeing  
25 to do that for the Court.

10:31:53

Collier - As On Cross/Keville

1 BY MR. KEVILLE:

2 Q Okay. So, as of now, you're not willing to commit to doing  
3 this --

10:32:01

4 THE COURT: I think he's answered the question. Let's  
5 move on.

6 MR. KEVILLE: Okay.

7 BY MR. KEVILLE:

10:32:18

8 Q Let me ask another question, Mr. Collier: The men that we  
9 represent at the Pack Unit have asked that TDCJ provide all  
10 class member inmates with unrestricted access to hand soap and  
11 clean hand towels.

12 Do you agree to continue to do this throughout  
13 the pandemic?

10:32:29

14 MS. VASQUEZ: Objection, your Honor. This calls for a  
15 legal conclusion and consultation with --

16 THE COURT: No. It's what they're willing to commit  
17 to. He can admit it or deny it.

10:32:47

18 THE WITNESS: Within our protocols for TDCJ, we have  
19 continued to provide hand soap and encouraged offenders to use  
20 hand soap as a way -- that's one of the number one ways to  
21 actually prevent COVID-19 is frequently washing our hands.

10:33:05

22 We provided soap but also provide soap access so  
23 that they can have additional soap as necessary, and we also  
24 provided an exchange for a hand towel each day. We have done  
25 that for the last -- not the entire amount of time since this

Collier - As On Cross/Keville

1 started; but again, I don't know what ramifications that would  
2 have if I agree to that on behalf of the Court. So, I would  
3 need to talk to my attorneys about that.

4 BY MR. KEVILLE:

10:33:17 5 Q Okay. So, while you're saying that you have a policy  
6 you're not agreeing to it on the record; is that correct?

7 THE COURT: He's saying he's not going to commit to it  
8 going forward. I think that's an adequate answer. Let's move  
9 on.

10:33:32 10 MR. KEVILLE: Okay.

11 BY MR. KEVILLE:

12 Q Mr. Collier, the men that we represent at the Pack Unit  
13 have asked that TDCJ provide all inmates and staff members with  
14 masks. And you have indicated that inmates receive cloth masks  
10:33:46 15 which can be turned in each day and fresh masks provided.

16 Do you agree to continue to do this until the end  
17 of the COVID-19 outbreak?

18 MS. VASQUEZ: Your Honor, same objection. This calls  
19 for a legal conclusion and consultation with Mr. Collier's  
10:33:57 20 attorneys.

21 THE COURT: If he thinks it calls for a legal  
22 conclusion, he can say that. What he's asking about is a matter  
23 of procedure, if they're going to provide masks daily. That's  
24 not a hard question.

10:34:07 25 THE WITNESS: We have continued to provide -- we --

Collier - As On Cross/Keville

1 one, we manufactured masks early in the process. We issued  
2 those masks to offenders in the month of April, to the offenders  
3 that were over 65 first. Then, we followed up with the rest of  
4 the offender population with cotton masks. We have since  
5 created enough cotton masks in inventory. Daily exchange of  
6 those masks is done with offenders, and that has been done  
7 throughout the COVID-19 epidemic since we were able to get that  
8 out.

9 That process remains again subject to anything  
10 that may interpret that differently from the CDC or any other  
11 outside guidelines that change it. But again, answering that  
12 and agreeing to that for the Court might have legal  
13 ramifications; and I would have to ask my attorneys.

14 BY MR. KEVILLE:

15 **Q** Mr. Collier, the men that we represent at the Pack Unit  
16 have asked that TDCJ provide cleaning supplies for each housing  
17 area, including bleach-based cleaning agents and CDC-recommended  
18 disinfectants in sufficient quantities to facilitate frequent  
19 cleaning, including in quantities sufficient for each inmate to  
20 clean and disinfect the floor and all services of his own  
21 housing cubicle and provide new gloves and masks to each inmate  
22 during each time they're cleaning or performing janitorial  
23 services.

24 Do you agree to do this?

25 MS. VASQUEZ: Objection, your Honor. Calls for a

Collier - As On Cross/Keville

1 legal conclusion and requires Mr. Collier to consult with his  
2 attorneys.

3 THE COURT: I'm going to allow --

4 THE WITNESS: I think while I recognize --

10:35:38 5 THE COURT: I'm going to allow the question. He can  
6 qualify the answer however he wishes.

7 THE WITNESS: I apologize, your Honor.

8 THE COURT: All right.

9 THE WITNESS: I'm aware that those protocols are in  
10:35:49 10 place within TDCJ; but again, I would have to ask our attorneys  
11 for advice based upon agreeing to that for the Court.

12 BY MR. KEVILLE:

13 Q Okay. But you agree -- you believe that the protocols that  
14 I just read to you are in place at TDCJ?

10:36:05 15 A I do believe the -- I'd have to go back through your list  
16 again; but yes, sir, I do believe the protocols that you  
17 referenced are protocols that we have in place.

18 Q Mr. Collier, Plaintiffs have asked that TDCJ provide all  
19 inmates with access to tissues or, if tissues are not available,  
10:36:22 20 additional toilet paper above their normal allotment.

21 Do you agree to do this through the end of the  
22 COVID-19 outbreak at the Pack Unit?

23 MS. VASQUEZ: Objection. Calls for a legal conclusion  
24 and consultation with his attorneys.

10:36:36 25 THE COURT: Same ruling.



Collier - As On Cross/Keville

1 THE WITNESS: Within our protocols, we have added an  
2 additional roll of toilet paper; and that's also something that  
3 can be available, if necessary, upon request, not specifically  
4 tissues but the extra toilet paper to help address that issues.

10:36:49 5 Again, I would have to ask the attorneys if there's a  
6 ramification for agreeing to that for the Court.

7 BY MR. KEVILLE:

8 Q Mr. Collier, the men we represent at the Pack Unit have  
9 asked that TDCJ institute a prohibition on new prisoners  
10:37:03 10 entering the Pack Unit for the duration of the pandemic or, in  
11 the alternative, test all new prisoners entering or place new  
12 prisoners in quarantine for 14 days.

13 Do you agree to these measures?

14 MS. VASQUEZ: Objection. Calls for a legal conclusion  
10:37:18 15 and consultation with Mr. Collier's attorneys.

16 THE COURT: Same ruling.

17 THE WITNESS: It would require, obviously, for me to  
18 confer with attorneys. We do not have that -- we have not added  
19 any offenders to the Pack Unit during this event. However, to  
10:37:29 20 agree that we would never -- because this event may last quite  
21 sometime.

22 For us to agree -- I'm not sure I can agree to  
23 that either way. But I certainly would have to ask attorneys  
24 for advice. That's not a protocol that's in place now;  
10:37:43 25 although, we have not moved anyone new to the Pack Unit.

Collier - As On Cross/Keville

1 BY MR. KEVILLE:

2 Q Okay. Would you agree that in the alternative to a  
3 complete prohibition that you would test all new prisoners  
4 entering the Pack Unit for COVID-19 or place them in quarantine  
10:37:58 5 for 14 days if there's no test available?

6 MS. VASQUEZ: Objection. Calls for a legal conclusion  
7 and consultation with his attorneys.

8 THE COURT: Same ruling.

9 THE WITNESS: Again, I would have to ask our attorneys  
10:38:10 10 for what ramifications that might have.

11 BY MR. KEVILLE:

12 Q Mr. Collier, the men that we represent at the Pack Unit  
13 have asked that TDCJ limit transportation of Pack Unit inmates  
14 out of the prison to transportation involving immediately  
10:38:21 15 necessary medical appointments and release from custody and,  
16 when that transport is necessary for medical release, provide  
17 social distancing.

18 Do you agree to do this through the remainder of  
19 this pandemic?

10:38:35 20 MS. VASQUEZ: Objection. Calls for a legal conclusion  
21 and consultation with his attorneys.

22 THE COURT: Same ruling.

23 THE WITNESS: That is a practice that TDCJ does have  
24 in place. We have limited transportation not only at the Pack  
10:38:44 25 Unit but throughout the system for only critical needs. At the

Collier - As On Cross/Keville

1 same time, to agree to that before the Court would potentially  
2 have ramifications. I would have to talk to our attorneys about  
3 that.

4 BY MR. KEVILLE:

10:38:57

5 Q Mr. Collier, the men we represent at the Pack Unit have  
6 asked that TDCJ implement and enforce strict social distancing  
7 measures requiring at least six feet of distance between  
8 individuals where the inmates are required to congregate and, to  
9 the extent possible, use common areas like the gymnasium, the  
10 library, the law library, classrooms as temporary housing for  
11 inmates without disabilities to increase the social distancing  
12 at the Pack Unit.

10:39:14

13 Do you agree to do this for the remainder of the  
14 COVID-19 outbreak?

10:39:25

15 MS. VASQUEZ: Objection. Calls for a legal conclusion  
16 and consultation with his attorneys.

17 THE WITNESS: Social distancing is --

18 THE COURT: Same ruling.

19 Go ahead, Mr. Collier.

10:39:34

20 THE WITNESS: I'm sorry, again. I'm sorry, your  
21 Honor.

22 Social distancing in prison is a difficult issue.  
23 One, spaces may not allow for an exact six-foot rule; and  
24 according to the CDC guidelines, you have to the develop a plan  
25 for the specific facility that are working within.

10:39:50

Collier - As On Cross/Keville

1 We have done that at the Pack Unit as we have  
2 with our other facilities. We have also looked at alternatives  
3 of where we can house. One thing I would point out to is that  
4 the Pack Unit is a unit that is required to have  
10:40:06 5 air-conditioning, which it does; however, the gymnasium does not  
6 have air conditioning and is not suitable for housing based upon  
7 that and the population that is housed there. We have maximized  
8 the use of other space on the unit to ensure that we are  
9 spreading out offenders, to the best of our ability, within the  
10:40:22 10 design of that facility.

11 Warden Herrera and his team have continued to  
12 enhance that process throughout; but again, I think agreeing to  
13 do that for the Court, I don't know the legal ramifications of  
14 that; and I would have to ask our attorneys.

10:40:37 15 BY MR. KEVILLE:

16 Q Mr. Collier, the men we represent at the Pack Unit have  
17 requested that TDCJ post signage and information in common areas  
18 about COVID-19 and how to protect themselves and educate inmates  
19 on the COVID-19 pandemic by providing information about  
10:40:56 20 pandemic, the symptoms, transmission, and how to protect  
21 themselves.

22 Do you agree to do this for the remainder of the  
23 COVID-19 pandemic?

24 A TDCJ --

10:41:07 25 MS. VASQUEZ: Objection. Calls for a legal conclusion

Collier - As On Cross/Keville

1 and consultation with his attorneys.

2 THE COURT: Same ruling.

3 THE WITNESS: TDCJ has had signage in place, continues  
4 to look at how we provide information to the offender and staff  
10:41:23 5 populations that are within our facilities. We've had that in  
6 place for sometime, not only signs but as well as videos that we  
7 play regularly as well as announcements on things like the  
8 healthcare fee being waived.

9 TDCJ has had that protocol in place; but again,  
10:41:39 10 to agree to that may have legal ramifications that I would have  
11 to understand from our attorneys.

12 BY MR. KEVILLE:

13 Q Mr. Collier, the men we represent have requested that for  
14 any inmate correctional officer or staff member who tests  
10:41:56 15 positive for COVID-19 TDCJ perform contact tracing to determine  
16 all individuals and surfaces contacted during the two-week  
17 period before the test result.

18 Do you agree to do that?

19 MS. VASQUEZ: Objection. Calls for a legal conclusion  
10:42:09 20 and consultation with his attorneys.

21 THE COURT: Same ruling.

22 THE WITNESS: According to what I understand according  
23 to the CDC guidelines, contact tracing is a 48-hour window, not  
24 necessarily a two-week window; but again, we do contact tracing  
10:42:27 25 for staff as well as offenders. We've had that protocol in

Collier - As On Cross/Keville

1 place as well. However, to agree to that for the Court may have  
2 legal ramifications; and obviously, I would have to talk to our  
3 attorneys.

4 BY MR. KEVILLE:

10:42:42

5 **Q** Mr. Collier, your attorneys have represented to this Court  
6 and to the Fifth Circuit that TDCJ is doing many or most of the  
7 things we've just discussed.

8 Do you understand that?

9 **A** Yes, sir.

10:42:52

10 **Q** And you're the top man at TDCJ, correct?

11 **A** I'm the executive director for TDCJ.

12 **Q** So, who has authority to agree on behalf of TDCJ if it's  
13 not you?

10:43:09

14 **A** It ultimately could be me; but it, again, would require me  
15 to conference with attorneys and understand the full  
16 ramifications of that.

17 **Q** And without revealing any discussions with counsel, have  
18 you ever discussed agreeing to the conditions that we've just  
19 discussed?

10:43:27

20 MS. VASQUEZ: Objection. Calls for attorney/client  
21 communications.

22 THE COURT: No. He specifically excluded  
23 attorney/client communications. He's saying other than  
24 attorney/client communications.

10:43:40

25 THE WITNESS: Other than specifically with the

Collier - As On Cross/Keville

1 attorneys, no, sir, I'm not aware of that.

2 BY MR. KEVILLE:

3 **Q** Mr. Collier, will you commit to discussing with your  
4 attorneys, without telling me any substance of what you'll  
10:43:56 5 discuss in the future, whether you will agree to do this in a  
6 way so we can narrow this trial down to what's really at issue?

7 MS. VASQUEZ: Objection. Attorney/client privilege.

8 THE COURT: I'm going to allow it.

9 THE WITNESS: As I understand your question, you're

10:44:15 10 asking me to commit to the Court that I will talk with our  
11 attorneys about the things you asked me to agree to?

12 BY MR. KEVILLE:

13 **Q** That is correct.

14 **A** And again, I don't know even what legal ramifications that  
10:44:26 15 would have.

16 THE COURT: Okay. Let's move on.

17 MR. KEVILLE: Okay.

18 BY MR. KEVILLE:

19 **Q** Mr. Collier, let's talk for a minute about hand sanitizer.

10:44:33 20 TDCJ rejected the idea of providing hand sanitizer to inmates  
21 even though it's -- that are mobility-impaired, correct?

22 **A** TDCJ followed the CDC guidelines which recommend the use of  
23 soap and water to help with preventing COVID-19. It does say if  
24 soap and water are not available that hand sanitizer should be  
10:44:57 25 considered, but we did provide hand sanitizer to staff in small

Collier - As On Cross/Keville

1 bottles that they could keep on their person because they don't  
2 have the same level of access necessarily to sinks and soap as  
3 offenders would in their housing areas.

4 But hand sanitizer for offenders, no, sir, we did  
5 not issue; and we have discussed it but chose not to issue.

10:45:13

6 **Q** The staff that you're talking about that got the small  
7 bottles of hand sanitizer, they can get to a sink easier than a  
8 man in a wheelchair or a walker can, correct?

9 **A** I don't know that that would be accurate based upon where  
10 you're working, where your work station is. I'm not sure that  
11 that would be accurate.

10:45:32

12 **Q** And you don't know how far the staff has to go compared to  
13 how far inmates in a wheelchair would to go to get to a sink, do  
14 you?

10:45:48

15 **A** It would depend on a specific housing area or a specific  
16 work assignment for the staff. So, it could vary quite a bit.

17 **Q** Understood. And you understand that there are a number of  
18 mobility-impaired inmates at the Pack Unit, many in wheelchairs?

19 **A** I do, sir.

10:46:03

20 **Q** Okay. And you made -- you and TDCJ made no analysis of how  
21 you could help those mobility-impaired individuals get to  
22 handwashing more frequently, correct?

23 **A** We have recommended throughout the pandemic that  
24 handwashing is one of the key ways we can prevent COVID-19, and  
25 we have continued to provide that information but also provide

10:46:25



Collier - As On Cross/Keville

1 the materials to do that to the offender population.

2 **Q** I apologize. Might be my fault because I didn't make my  
3 question clear. My question was you and TDCJ have done no  
4 specific analysis to see how you could help the  
5 mobility-impaired and wheelchair inmates at the Pack Unit be  
6 able to get more frequent handwashing?

7 **MS. VASQUEZ:** Objection. Calls for attorney/client  
8 privileged communications.

9 **THE COURT:** All right. I'm going to overrule the  
10 objection.

11 **THE WITNESS:** I'm not familiar with a specific  
12 analysis. There may have been discussions, but I'm not aware of  
13 a specific analysis of those mobility-impaired offenders as it  
14 relates to the handwashing.

15 **BY MR. KEVILLE:**

16 **Q** You say there may have been discussions. Did you have  
17 those discussions?

18 **A** Not that I recall.

19 **Q** Okay. So, you're not aware of any discussions or analysis  
20 that was done with regard to the mobility-impaired inmates at  
21 the Pack Unit and how to provide them better access to  
22 handwashing?

23 **A** No, sir.

24 **Q** Okay. And you didn't look at -- for that particular set of  
25 inmates, those that are mobility-impaired or wheelchair-bound at

Collier - As On Cross/Keville

1 the Pack Unit, whether it would make sense to provide them with  
2 the small bottles of hand sanitizer?

3 **A** Any offender within the system, if there were a need such  
4 as the one you described, our medical partners, medical staff  
10:47:55 5 assigned to the unit would identify if an accommodation for an  
6 offender needed to be made. If an offender was distance-wise  
7 not close to a sink, that kind of accommodation can be made.

8 It would be made based upon a recommendation,  
9 typically, from the medical department advising that that would  
10:48:14 10 assist that individual in meeting that need. I'm not aware of  
11 us either having that need or not meeting that need.

12 **Q** Did you ever instruct the medical department to look at the  
13 needs of the mobility-impaired inmates at the Pack Unit in  
14 regard to COVID-19?

10:48:32 15 **A** I did not specifically instruct them. I know that they  
16 specifically within their practices and protocols monitor those  
17 offenders; and if there is a need there, they would bring that  
18 to administration's -- the unit administration for resolution.

19 **Q** Let's see if we can clear this up. You and anyone at TDCJ  
10:48:52 20 that works with or for you never instructed medical to take a  
21 look at how we can help the mobility-impaired inmates at the  
22 Pack Unit have more frequent access to handwashing?

23 MS. VASQUEZ: Objection. Lack of personal knowledge.  
24 Calls for speculation.

10:49:12 25 THE COURT: Objection is overruled.

Collier - As On Cross/Keville

1 THE WITNESS: I'm not specifically aware of a  
2 discussion. I can't say if one did or did not happen.

3 BY MR. KEVILLE:

4 Q Right. Your counsel objected about speculation. You would  
10:49:23 5 be speculating if you said that because you have no personal  
6 knowledge of that happening, correct?

7 A That is correct.

8 Q Okay. And you have no personal knowledge that anyone in  
9 the medical department ever did any analysis to say how can we  
10:49:32 10 help the wheelchair or mobility-impaired inmates at the Pack  
11 Unit get more frequent access to handwashing, correct?

12 A I'm not aware.

13 Q And you have no intention of providing any of the inmates,  
14 including the mobility-impaired inmates at the Pack Unit, with  
10:49:53 15 hand sanitizer, correct?

16 MS. VASQUEZ: Objection. Calls for a legal  
17 conclusion.

18 THE WITNESS: Again, I follow the advice of our  
19 healthcare professions; and again, as it relates to an offender  
10:50:01 20 with mobility issues, they would advise us on protocols that  
21 they need -- that we need to provide for those offenders.  
22 They've made no such recommendation that we provide them hand  
23 sanitizer.

24 But that's the advice that I would follow is from  
10:50:15 25 our healthcare providers. If they brought that advice forward,

Collier - As On Cross/Keville

1 we would review it and determine if that's feasible or not.

2 BY MR. KEVILLE:

3 **Q** But even after this lawsuit, you never went to your medical  
4 people and said, "Hey, how can we help the mobility-impaired  
10:50:30 5 inmates at the Pack Unit get more frequent access to handwashing  
6 or can we provide those inmates with hand sanitizer?"

7 MS. VASQUEZ: Objection. Asked and answered.

8 MR. KEVILLE: I believe that was a different question,  
9 your Honor.

10:50:48 10 THE COURT: I'm going to overrule the objection.

11 THE WITNESS: I'm sorry, Mr. Keville, would you remind  
12 repeating it.

13 MR. KEVILLE: Sure.

14 Ms. Court Reporter, could you just read that  
10:50:57 15 back.

16 Thank you.

17 (The last question was read.)

18 THE WITNESS: That is correct. I have not had a  
19 specific discussion related to that.

10:51:24 20 BY MR. KEVILLE:

21 **Q** In opening -- were you listening to the opening,  
22 Mr. Collier?

23 **A** I was.

24 **Q** Okay. In opening, your counsel talked about having  
10:51:33 25 implemented Policy 14.52 and some of the things we've been just

Collier - As On Cross/Keville

1 talking about and that they're being done at TDCJ units,  
2 correct?

3 **A** Yes, sir.

4 **Q** All the things that Mr. Cowles was talking about in his  
10:51:48 5 opening that TDCJ is doing, those are all being done across all  
6 of the TDCJ units, correct?

7 **A** I didn't write down what Mr. Cowles specifically listed.  
8 There are large numbers of protocols we have in place across the  
9 system. Generally, I would agree with your question, yes, sir.

10:52:14 10 **Q** Okay. All of the steps that Mr. Cowles said TDCJ took that  
11 were described in opening are steps that were taken as applied  
12 across all 104 TDCJ prisons, correct?

13 **A** I believe that would be correct.

14 **Q** And we've talked about 14.52. There was not and there is  
10:52:33 15 not a policy like 14.52 that is specific to the Pack Unit,  
16 correct?

17 **A** The Correctional Managed Healthcare Policy 14.52 would be a  
18 system policy as it relates to how we address COVID-19 in TDCJ.

19 **Q** Okay. So, there was not and is not a policy that is  
10:52:55 20 specific to the Pack Unit, correct?

21 **A** Not that I'm personally aware of.

22 **Q** And there is no supplement or adaptation of Policy 14.52  
23 that is specific to the Pack Unit, correct?

24 **A** I'm not aware of a subpart of 14.52; but also, I'm not  
10:53:16 25 aware of anything that the unit medical clinic at the Pack Unit

Collier - As On Cross/Keville

1 or the physicians or the nurses at the Pack Unit may have in  
2 place that either is having to carry out 14.52 or may be in  
3 addition to what's in 14.52.

4 But 14.52 is a general policy related to TDCJ and  
10:53:34 5 instructs us on how we address many aspects of managing the  
6 COVID-19.

7 **Q** Sure. And my question goes a little differently. My  
8 question is you're not aware that there's any adaptation or  
9 supplement to 14.52 that TDCJ has specific to the Pack Unit?

10:53:55 10 **A** I guess as you say "adaptation," there are certain things  
11 that we have done because of the population at the Pack Unit.  
12 I'm not sure if that would qualify as an adaptation of 14.52.

13 But we have done certain things such as the  
14 repeated strike testing that we're not doing at every unit in  
10:54:13 15 the system. We're only doing that on units with specifically a  
16 very high percentage of elderly offenders.

17 **Q** Okay. That's the thing that you say is in addition. Other  
18 than that, there's no adaptation or changes to the policy that  
19 are specific to the Pack Unit other than this new repeated  
10:54:30 20 testing?

21 **A** Again, throughout the event, we tested the first dorm after  
22 Mr. Clerkly was positive. That was the only location in the  
23 system that we did that. At the time, tests were very difficult  
24 to achieve to get to volume testing; but we did test everybody  
10:54:47 25 at that dorm that -- where Mr. Clerkly was residing before he

Collier - As On Cross/Keville

1 passed away.

2 That was -- that was not within the system. That  
3 was something specific to Pack. So, again, I don't know if that  
4 qualifies as an adaptation; and then, of course, the strike  
5 testing that we're doing at Pack now.

10:55:04

6 **Q** By the way, the repeated strike testing that we talked  
7 about a little earlier, that came about a few weeks ago, right?

8 **A** Yes, sir, that's correct.

9 **Q** And that came out about right around the time that there  
10 were some additional expert reports requiring that kind of  
11 testing in this case, correct?

10:55:18

12 **A** I don't know any expert reports specifically on the repeat  
13 testing. I know that we started strike testing in early May  
14 based upon those tests becoming available to the state, and TDCJ  
15 was able to acquire the test for use to test large quantities  
16 within the system.

10:55:36

17 After we completed the first round of Strike Team  
18 testing, we then consulted our healthcare experts to move  
19 forward. We did another round of Strike Team testing on several  
20 units. The repeated testing that we are working with now at the  
21 Pack Unit and three other facilities was based upon our  
22 healthcare professionals and Dr. Linthicum coming up with that  
23 model to help us pursue how we continue to test at those  
24 facilities based on their populations.

10:55:51

25 I'm not aware of an expert -- I'm not arguing

10:56:11

Collier - As On Cross/Keville

1 that there's not one. I'm just saying I'm not aware that expert  
2 testimony or report had anything to do with it.

3 **Q** Whose idea was it to do this repeated strike testing that  
4 you guys agreed to a couple of weeks ago?

10:56:25 5 **A** The testing protocol, specifically, I believe Dr. Linthicum  
6 worked through that with Dr. Keiser who is the chair of the  
7 Managed Healthcare Committee also working with the university  
8 partners. She made recommendations to me, to myself. We  
9 discussed it; and then, she and Ms. Davis based upon the  
10:56:48 10 populations identified a plan to carry it forth.

11 **Q** So, you -- as the top guy for TDCJ, you were brought this  
12 and you agreed to it?

13 **A** Yes, sir. Dr. Linthicum talked with me about it and  
14 continued to work and develop the plan talking with those  
10:57:07 15 individuals and then confirming if we should move forward with a  
16 plan like that.

17 **Q** Is there any plan to put the plan in writing and to make it  
18 a policy?

19 **A** There certainly could be, Mr. Keville; but at this time, I  
10:57:25 20 couldn't assure you that that's a permanent model because of the  
21 nature of this entire COVID-19 experience. But we have  
22 identified protocols that were modified sometimes over the  
23 course of even a week.

24 So, I don't know what -- if that will stand as  
10:57:41 25 the best plan for the future or if there will be a modified



Collier - As On Cross/Keville

1 version of that or if that is identified as something we should  
2 not do.

3           Again, we are trying that to see if it will help  
4 us again identify any positive offenders and keep a process in  
10:58:00 5 place that will keep us from having anybody positive come into  
6 that facility.

7 **Q**    So, as I understand, the plan is that you will hopefully  
8 continue and do this repeated testing until COVID-19 is  
9 eliminated at the Pack Unit but you're not sure you will, that  
10:58:14 10 may change?

11 **A**    In a short way, I suppose your answer is right; but I think  
12 our determination of that would be based on the best evidence of  
13 what we understand from the testing as well as the best advice  
14 that's within our experts that we have within the two teaching  
10:58:32 15 universities and Dr. Linthicum.

16           So, we are moving forward with that plan based on  
17 in that advice today; but if COVID-19 science develops a  
18 different model or comes up with a better way to do what we're  
19 trying to do, which is eliminate any positives on a facility,  
10:58:48 20 then we would have to look at that and maybe modify that.  
21 That's really all I'm trying to explain.

22 **Q**    You agree that you should look at what many experts say and  
23 what the recommendations are as it relates to preventing  
24 COVID-19 in the facilities, correct?

10:59:05 25           MS. VASQUEZ: Objection. Vague, overbroad.

Collier - As On Cross/Keville

1 THE COURT: Rephrase the question, Mr. Keville.

2 MR. KEVILLE: Sure.

3 BY MR. KEVILLE:

4 **Q** Mr. Collier, one thing you should consider in determining  
10:59:16 5 the policies for TDCJ and how it responds to COVID-19 is what  
6 experts say, correct?

7 MS. VASQUEZ: Objection. Overbroad with respect to  
8 experts.

9 THE COURT: I'm going to allow it. I'm going to allow  
10:59:30 10 it.

11 THE WITNESS: Our healthcare policies are modeled by  
12 the Correctional Managed Healthcare Committee which is,  
13 essentially, a committee of experts also with partnership with  
14 two teaching universities.

10:59:41 15 Those entities together develop our healthcare  
16 policies for the system that we implement. That is a team of  
17 experts that we rely on heavily. They may receive information  
18 from sources beyond that. I know we also look at what the CDC  
19 recommends, and we're aware of other best practices around the  
10:59:58 20 country.

21 BY MR. KEVILLE:

22 **Q** Okay. So, you're saying that it's CMHC that should  
23 consider what is being done around the country or what other  
24 experts say?

11:00:10 25 **A** The Correctional Managed Healthcare Committee does the --

Collier - As On Cross/Keville

11:00:28

1 identifies what the healthcare plan is going to be or healthcare  
2 protocols. So, that's the base of experts that we rely on for  
3 our healthcare policy and practice. Who they rely on outside of  
4 their teaching universities as well as what they know from other  
5 states, I'm only speculating.

11:00:46

6 **Q** Mr. Collier, we were talking -- we got a little  
7 sidetracked. We were talking about hand sanitizer. Your basis  
8 for not allowing the inmates at the Pack Unit to have hand  
9 sanitizer is because it has alcohol and inmates may ingest it,  
10 number one; and number two, because it is flammable, correct?

11 **A** Yes, sir.

12 **Q** Okay. And you've done no analysis of the inmates across  
13 the Pack Unit to see if there is a risk of that, specifically,  
14 at the Pack Unit, correct?

11:01:00

15 **A** We did conduct a study of the Pack Unit. We know that  
16 offenders are at the Pack Unit. We also know that from stories  
17 outside of the State of Texas offenders have ingested it. We  
18 also know that alcohol is a flammable substance and can be used  
19 as an accelerant for fire. So, it poses a risk for any

11:01:22

20 facility.

21 **Q** I'm sorry. Is the answer to my question, no, you've done  
22 no analysis specific to the inmates at the Pack Unit as to the  
23 risk for allowing hand sanitizer?

24 MS. VASQUEZ: Objection. This misstates his prior  
25 testimony and argumentative.

11:01:36

Collier - As On Cross/Keville

1 THE COURT: I'm going to allow it.

2 THE WITNESS: We did not do -- we did not do a  
3 specific study at the Pack Unit as it relates to your question.

4 BY MR. KEVILLE:

11:01:47 5 Q Okay. And you didn't do any specific study for  
6 mobility-impaired inmates or wheelchair-bound inmates, right?  
7 So, the wheelchair-bound inmates have to roll their hands across  
8 the wheels which are rolling across the floor which are  
9 gathering dirt and other germs potentially, possibly infection.

11:02:06 10 You did no analysis of whether we could provide  
11 hand sanitizer to those individuals because of the risk of them  
12 being in a wheelchair?

13 A There was, to my knowledge, not a specific analysis of  
14 those offenders. If medical has identified that as an issue,  
11:02:23 15 again, our medical providers would bring that information  
16 forward for us to address.

17 THE COURT: Mr. Keville, you might look for a place we  
18 can take our morning break.

19 MR. KEVILLE: Sure. Maybe, your Honor, I'll just  
11:02:32 20 finish a few questions on hand sanitizer.

21 THE COURT: Okay. All right.

22 BY MR. KEVILLE:

23 Q Mr. Collier, at TDCJ's Roach facility, inmates are taking  
24 hand sanitizer that TDCJ buys in bulk and are rebottling that  
11:02:46 25 hand sanitizer for staff use, correct?

Collier - As On Cross/Keville

1 **A** That is correct.

2 **Q** And you're not aware of any incidents at the Roach facility  
3 where any offender drank the hand sanitizer, correct?

4 **A** Not specifically, no, sir.

11:03:01 5 **Q** Heck, not generally either, correct? You're not aware of  
6 any such incident at the Roach facility?

7 **A** I'm not aware of any report of an offender ingesting or  
8 using the alcohol-based hand sanitizer that they bottle at the  
9 unit. I'm also not aware of -- they're supervised when they  
11:03:22 10 rebottle that; and at the same time, it's within one of our  
11 factories.

12 So, there's oversight there with them the entire  
13 time; and I'm not sure how much access they have to the product.  
14 I'm not personally aware of that.

11:03:32 15 **Q** You're not aware of any inmate at the Roach facility  
16 setting a fire using hand sanitizer, correct?

17 **A** No, sir.

18 **Q** And you're aware that 30 states have now relaxed  
19 restrictions on hand sanitizer for the period of this pandemic,  
11:03:45 20 correct?

21 **A** No, sir, I was not aware of that.

22 **Q** And you've done no further analysis since you started back  
23 in March to say let me see what other states are doing with  
24 regard to hand sanitizer, correct?

11:03:59 25 **A** I've had discussions with other state directors. I have

Collier - As On Cross/Keville

1 not been told that there were 30 states using hand sanitizer.  
2 The research that I had seen last was that only six states were  
3 using hand sanitizer, and I wasn't aware personally of any of  
4 those states.

11:04:14

5 But I have had discussions with other states as  
6 it relates to COVID-19, as it relates to protocols that need to  
7 be in place; and I've not had a discussion with anyone that  
8 referenced hand sanitizer for offenders.

11:04:31

9 **Q** Have you discussed specifically with any of the states that  
10 have allowed access -- inmates access to hand sanitizer how they  
11 did it?

12 **A** No, sir.

13 MR. KEVILLE: Your Honor, why don't we take our break  
14 here.

11:04:43

15 THE COURT: We'll take a 10-minute -- a 15-minute  
16 break. 15-minute break.

17 (Court recessed at 11:04 a.m.)

18 (Court resumed at 11:22 a.m.)

19 THE COURT: Are we all back?

11:22:09

20 MR. KEVILLE: Your Honor, Plaintiffs are back.

21 THE COURT: Let's proceed then.

22 BY MR. KEVILLE:

23 **Q** Mr. Collier, in opening, your counsel showed us signs that  
24 were posted at the Pack Unit.

11:22:22

25 Do you remember that?

Collier - As On Cross/Keville

1 **A** Yes, sir.

2 MR. KEVILLE: And Allen, if you would put up the sign  
3 from the Plaintiffs' opening.

4 BY MR. KEVILLE:

11:22:27 5 **Q** And here, in your response, if we look on the left, the  
6 signs you're posting in the Pack Unit say "Wash hands often for  
7 20 seconds; encourage others to do the same," correct?

8 **A** Yes, sir.

9 **Q** And then, they say, "If no soap and water available, use  
11:22:43 10 hand sanitizer with at least 60 percent alcohol."

11 So, you're posting signs in the Pack Unit that  
12 the inmates see that say, if you can't get soap and water, use  
13 hand sanitizer, correct?

14 **A** Yes, sir. The reason the sign says that is because it is  
11:23:04 15 for staff as well; and our staff would -- if they're not  
16 available to use soap and water have access to hand sanitizer.

17 **Q** Now, is it only staff who are in certain places where  
18 there's no access to soap and water that have hand sanitizer or  
19 did you give the hand sanitizer to all the staff?

11:23:20 20 **A** We did issue hand sanitizer to all staff.

21 **Q** So, it wasn't because they didn't have soap and water  
22 available, you just gave it to everyone as to staff?

23 **A** Staff could be working in locations where washing with a  
24 sink is not as easily accessible; but we did issue it to  
11:23:37 25 everyone, yes, sir.

Collier - As On Cross/Keville

1 Q Okay. And you didn't look at whether inmates who didn't  
2 have easy access to a sink would be able to get hand sanitizer  
3 at all, correct?

11:23:52

4 A We looked at the issue of offenders having hand sanitizer  
5 and discussed that and discusses the security concerns around  
6 that and chose not to issue hand sanitizer; but again, CDC  
7 recommendations indicate that soap and water are the number one  
8 recommended way to keep your hands clean.

11:24:08

9 Q Sure. But then, after you did that, you put up signs that  
10 all the inmates can see that say, "Hey, if you can't access to  
11 soap and water, use hand sanitizer," correct?

12 A They -- the offenders may see those signs. I have no doubt  
13 the offenders understand that there's not hand sanitizer  
14 available for them.

11:24:23

15 Q Your counsel, Mr. Cowles, said in his opening that trust  
16 had broken down between TDCJ and the Court because of our  
17 clients in the heat litigation, correct?

18 You heard that, correct?

19 A I did hear that, yes, sir.

11:24:42

20 Q Okay. And without getting into that, you understand that  
21 to be the case, that trust is broken down, right?

22 MS. VASQUEZ: Objection. Calls for speculation.

23 THE COURT: Yeah. He doesn't need to -- he doesn't  
24 need to answer that. Let's move on.

11:24:57

25 MR. KEVILLE: Okay.



Collier - As On Cross/Keville

1 BY MR. KEVILLE:

2 Q Mr. Collier, do you understand that our clients are  
3 reluctant to assume you will continue to do what you say you're  
4 doing even after this lawsuit ends?

11:25:08 5 MS. VASQUEZ: Objection. Calls for speculation.

6 THE WITNESS: No, sir, I'm not aware -- oh, sorry. I  
7 apologize.

8 BY MR. KEVILLE:

9 Q Can you answer my question, sir.

11:25:31 10 THE COURT: He said he wasn't aware of that.

11 MR. KEVILLE: Okay.

12 BY MR. KEVILLE:

13 Q Given the breakdown in trust that your lawyers say exist,  
14 right, and in an effort to repair the trust, now that you've had  
11:25:42 15 a break and an opportunity to consult your lawyers and without  
16 telling me anything that was discussed, will you now agree on  
17 the record before Judge Ellison to do the things that we  
18 discussed that you claim you were doing?

19 MS. VASQUEZ: Objection. Compound and already ruled  
11:25:57 20 on by the Court.

21 MR. KEVILLE: I don't think there's been any ruling.  
22 It's a new question.

23 THE COURT: Well, his repeated answer has been he  
24 needs to consult with counsel, and I'm sure that's going to be  
11:26:10 25 the answer now. Let's move on. He doesn't have to say that.

Collier - As On Cross/Keville

1 BY MR. KEVILLE:

2 **Q** Mr. Collier, you mentioned earlier the gymnasium not having  
3 air-conditioning. Do you have any plan to use the gymnasium to  
4 increase social distancing when the temperatures cool down in  
5 October or November?

11:26:31

6 **A** I do not personally know if Warden Herrera has plans to use  
7 the gymnasium when temperatures go down. He would have the  
8 discretion within being the facility warden to operationalize  
9 how he does social distancing at that facility.

11:26:50

10 I do not know if there is temp monitoring there,  
11 but that would be something that could be considered. But I do  
12 not know if Warden Herrera has plans for that, but he would  
13 certainly have an opportunity to evaluate that as we continue to  
14 deal with the pandemic and if the weather, obviously, changes to  
15 an acceptable temperature.

11:27:07

16 **Q** There is no plan that you're aware of to do that, to use  
17 the gymnasium if the temperatures cool down to increase social  
18 distancing, correct?

19 **A** The specific plans at the Pack Unit as it relates to social  
20 distancing Warden Herrera has developed on his own working with  
21 risk managers and working with his regional director. I  
22 personally have not been involved in that, and I'm not aware of  
23 their plans as it relates to social distancing for now or in the  
24 immediate future when temperatures change.

11:27:22

11:27:39

25 **Q** And you haven't given any instruction to Warden Herrera to

Collier - As On Cross/Keville

1 do that, to use the gymnasium when temperatures cool down to  
2 increase social distancing at the Pack Unit?

3 **A** Warden Herrera, as all of our wardens, were required to go  
4 in and develop their plan for social distancing. Obviously,  
11:27:57 5 that would be now during this time and temperature. That plan  
6 can be modified as we go forward, but I have not had a specific  
7 discussion with Warden Herrera as it relates to the gymnasium.

8 **Q** Mr. Collier, do you remember every seeing a written plan by  
9 Warden Herrera to increase social distancing at the Pack Unit?

11:28:17 10 **A** No, sir. I didn't personally review any of our plans as it  
11 relates to social distancing on our facilities. That would have  
12 been conducted by the management team within the Correctional  
13 Institutions Division.

14 **Q** Around March 4th of this year, you had a meeting with  
11:28:40 15 Ms. Davis and Dr. Linthicum and CMHC regarding COVID-19 and  
16 TDCJ's response, correct?

17 **A** Yes, sir.

18 **Q** No one took any notes at that meeting, correct?

19 **A** I have turned over all my notes. I'm not aware if anyone  
11:28:59 20 else took notes or not. I don't remember a lot of detail of the  
21 meeting, if I personally took notes; but I have turned over  
22 everything I had.

23 **Q** You turned those over to your counsel sometime back in May  
24 or June?

11:29:15 25 **A** Specific time frames, I'm not -- I don't recall; but I've

Collier - As On Cross/Keville

1 been keeping everything that I've been doing and providing that  
2 to our general counsel to provide to the AG's Office.

3 **Q** At the March 4th meeting, one of the things you talked  
4 about was facilities where TDCJ had empty beds that could be  
11:29:35 5 used for isolation, including at the Pack Unit, correct?

6 **A** Yes, sir.

7 **Q** And you discussed the dorm that's outside the Pack Unit  
8 that's being remodeled and that that housing could be used if  
9 you needed to move inmates, correct?

11:29:50 10 **A** We did discuss the dormitory at the Pack Unit that was  
11 under construction and discussed what would need to be done to  
12 accelerate the construction to get it to where it could be  
13 utilized. I believe at that time it was not useable for that  
14 purpose.

11:30:08 15 **Q** Well, at the time the construction was going on, it wasn't  
16 to build the unit, it was simply to alter it's wheelchair  
17 accessibility, correct?

18 **A** I'm not specifically aware of what other details were being  
19 done, but we were modifying that dormitory so that we could put,  
11:30:28 20 essentially, more of a -- I won't say geriatric but a population  
21 that had a higher degree of issues within that -- within that  
22 dormitory but also had medical staff out there at that  
23 dormitory.

24 We were in the process of modifying four of our  
11:30:45 25 dormitories that are similar around the system to help,

Collier - As On Cross/Keville

1 essentially, house offenders that don't need to be in general  
2 population but would be better in that kind of an environment.  
3 So, we were modifying Pack as well as some others to do that.

11:31:06 4 **Q** You say you were modifying but you don't know what specific  
5 modifications were being made to the dorms at the Pack Unit,  
6 correct?

7 **A** I believe they were spreading the cubicles or making sure  
8 that they were ADA compliant. They were also creating some  
9 degree of medical space, also electrical outlets for CPAP  
11:31:21 10 machines. Oxygen connections, things like that were being  
11 installed.

12 **Q** At the dorms in Pack Unit or is this generally you're  
13 talking?

14 **A** That's within all of those locations. So, I would believe  
11:31:34 15 for the Pack Unit as well.

16 **Q** You were talking about this on March 4th, correct?

17 **A** We were talking about the availability of that dorm, if it  
18 would have availability to, essentially, do essential social  
19 distancing or house offenders who needed to be relocated because  
11:31:52 20 of COVID.

21 **Q** On the documents you produced in this case --

22 MR. KEVILLE: Your Honor, I would like to put up  
23 Plaintiffs' Exhibit 172 which I would offer into evidence.

24 THE COURT: Any objection to this exhibit?

11:32:15 25 Any objection to this exhibit?

Collier - As On Cross/Keville

1 MS. VASQUEZ: Objection as to --

2 THE COURT: I can't hear you. Ms. Vasquez, any  
3 objection to this exhibit?

4 MS. VASQUEZ: Yes.

11:32:35

5 THE COURT: You do object to it?

6 MS. VASQUEZ: Yes.

7 THE COURT: What's your objection?

8 MS. VASQUEZ: Relevance.

9 THE COURT: What now?

11:32:44

10 MS. VASQUEZ: Relevance, your Honor.

11 MR. KEVILLE: Your Honor, this is a roster of where  
12 the inmates were housed at the Pack Unit as of May 4th, 2020,  
13 which specifically shows that they had on May 4th, 2020, not  
14 moved any inmates into these open dorms, E-17 and 19.

11:33:04

15 THE COURT: This is TDCJ's own document, isn't it?

16 MR. KEVILLE: It is.

17 THE COURT: I'm going to admit it. I'm going to allow  
18 it.

19 BY MR. KEVILLE:

11:33:12

20 **Q** Mr. Collier, by May 4th looking at this roster -- and I  
21 don't know if you need to see the whole thing or you can tell us  
22 from your memory. By May 4th, 2020, there were still no inmates  
23 that were assigned to Dorms E-17 or E-19.

24 Do you understand that to be the case?

11:33:31

25 **A** I'm not familiar with the document that you have in front

Collier - As On Cross/Keville

1 of me. I know what it is, but I don't use that document. I'm  
2 not familiar with it, so I'm not sure what it's talking about  
3 where people are housed. I see inmate names and I see job  
4 assignments it looks like, but I'm not familiar with that  
5 document at all.

11:33:47

6 **Q** You understand that by the second week of May there were  
7 still no inmates assigned to the Dorms E-17 or E-19 at the Pack  
8 Unit, the ones that you had discussed back on March 4th?

9 **A** I know that Warden Herrera has used those dorms. I do not  
10 know specifically when that began.

11:34:05

11 MR. KEVILLE: I'm going to put up, if I would,  
12 Plaintiffs' Exhibit 2 and move the admission of Plaintiffs'  
13 Exhibit 2.

14 THE COURT: Any objection to this exhibit?

11:34:14

15 THE COURT REPORTER: We can't hear you, Ms. Vasquez.

16 MS. VASQUEZ: It's confidential, your Honor, and  
17 should be filed under seal.

18 THE COURT: This is to be filed under seal.

19 Any objection to that, Mr. Keville?

11:34:37

20 MR. KEVILLE: No objection, your Honor.

21 THE COURT: Admitted under seal.

22 BY MR. KEVILLE:

23 **Q** This is a layout of the Pack Unit showing Dorms E-17 and  
24 19, and those two dorms have capacity for 111 inmates and 56  
25 inmates respectively.

11:34:55

Collier - As On Cross/Keville

1 Do you understand that?

2 **A** I see what's written on the drawing. I'm not familiar with  
3 the layout. I'm not arguing with you. I'm just telling you I'm  
4 not familiar with the document or the layout. Warden Herrera  
11:35:11 5 would be, but I'm not -- I see what says. It says 19 dorm, 111  
6 capacity; 17 dorm, 56 capacity.

7 **Q** Can you give us any explanation why -- when you discussed  
8 in early March the empty space in the E Dorm at the Pack Unit  
9 and there being over 160 additional spaces, why inmates were not  
11:35:35 10 moved into those spaces for over two months?

11 **A** I don't know when the dorm was actually completed and  
12 ready. I don't know when the construction was complete and when  
13 that dorm was ready for occupancy. I know it wasn't when we  
14 talked about in March. I'm not sure at what point it became  
11:35:54 15 available.

16 **Q** When you say it wasn't ready for occupancy, you mean all  
17 the things you were trying to do weren't done; but there was  
18 still bunks and space available in there, correct? There might  
19 not have been outlets for CPAP machines or wheelchair ramps but  
11:36:10 20 there was space available, correct?

21 MS. VASQUEZ: Objection. Lack of personal knowledge.  
22 He's already testified that this is something that Warden  
23 Herrera would have knowledge about, and Mr. Collier does not.

24 THE COURT: I'm going to allow the follow-up question.  
11:36:22 25 He can say he doesn't know.



Collier - As On Cross/Keville

1 THE WITNESS: I'm not specific as to what needed to be  
2 done. I don't remember that. I know we had ADA ramps at some.  
3 I don't know if that was a Pack issue. I know that one of them,  
4 there was also a build-out of the medical area where they would  
5 do a medical exam. I don't know if that was with the Pack Unit.  
6 So, I don't recall specifically.

11:36:36

7 BY MR. KEVILLE:

8 Q Okay. But you never instructed Warden Herrera or Ms. Davis  
9 to hurry up and use the empty dorm at the Pack Unit to provide  
10 more space between offenders, correct?

11:36:48

11 A No, sir, I did not instruct them specifically on that dorm  
12 at the Pack Unit.

13 Q And you never told Warden Herrera, "Hey, it's urgent in  
14 view of the risk for these elderly inmates that you get that  
15 dorm used to provide more distance between offenders"? You  
16 never told Warden Herrera that, correct?

11:37:02

17 A Not specifically, no, sir. I'm not aware of that.

18 Q Not generally either, correct?

19 MS. VASQUEZ: Objection. Asked and answered.

11:37:17

20 THE COURT: Let's move on. Let's move on.

21 MR. KEVILLE: Okay.

22 BY MR. KEVILLE:

23 Q You're not aware of anyone on your staff, Lorie Davis or  
24 anyone on her team, that had a conversation with Warden Herrera  
25 to say, "Hey, in view of COVID-19, let's move people into these

11:37:27

Collier - As On Cross/Keville

1 empty dorms as quickly as we can"?

2 **A** I don't know if a conversation like that happened or didn't  
3 happen.

11:37:42

4 **Q** You never gave any -- Lorie Davis or -- to do that? You  
5 never gave her any instruction, correct?

11:38:00

6 **A** Not specific that I'm aware of to the Pack Unit. We had  
7 discussions multiple times about the dormitory space, at one  
8 time looking at where we could move offenders and at one time  
9 even looked at the Pack Unit dormitory as a possible location  
10 for offenders from another unit if we had to evacuate geriatric  
11 offenders from another unit.

12 **Q** When did you have that conversation?

13 **A** That was in March as well, I believe.

11:38:16

14 **Q** But Lorie Davis or no one on her team ever told you, "Hey,  
15 we've talked to Warden Herrera and told him to move quickly and  
16 put inmates into the empty dorm to increase social distancing"?

17 **A** I don't recall a specific discussion, sorry.

18 **Q** That's okay.

11:38:32

19 Sir, your counsel stated in opening that you and  
20 the Defendants had motive and incentive to rely on what medical  
21 experts said about responding to COVID-19.

22 You heard that, correct?

23 **A** Yes, sir.

11:38:47

24 **Q** You never even read the declarations that were submitted in  
25 this lawsuit by the medical professionals and the prison

Collier - As On Cross/Keville

1 administration professionals, correct?

2 MS. VASQUEZ: Objection. Vague, argumentative.

3 THE COURT: I'm going to allow it.

4 THE WITNESS: I have not personally read the expert

11:39:01 5 depositions from the Plaintiffs' side.

6 BY MR. KEVILLE:

7 Q And you didn't direct Dr. Linthicum to read the medical  
8 expert declarations that were submitted in this lawsuit,  
9 correct?

11:39:14 10 A No, sir.

11 Q You didn't direct anyone to -- that reports to you to read  
12 the declarations from the doctors and prison administration  
13 experts who submitted sworn testimony in this case, correct?

14 A I did not direct anyone specifically, no, sir.

11:39:30 15 Q And you didn't direct them -- I think you mentioned  
16 deposition testimony. You haven't given anybody the direction  
17 to read the declarations or any of the things that the medical  
18 experts have provided, correct?

19 A From the Plaintiffs' side of experts, no, sir. Again, we  
11:39:44 20 relied on our university -- two teaching universities as well as  
21 Dr. Linthicum and the Correctional Managed Healthcare as our  
22 team of experts to help us guide and how we can help with  
23 COVID-19; and we continue to rely on them.

24 Q So, you will only rely on what the experts on your side say  
11:40:01 25 in this case, correct?

Collier - As On Cross/Keville

11:40:20 1 **A** I have a high degree of confidence after working with the  
2 two universities partners, Texas Tech Health Science Center and  
3 University of Texas Medical Branch. I had worked with them for  
4 many, many years in my career; and I have an extreme amount of  
5 confidence in not only what those teaching universities provide  
6 as far as information and direction to the agency.

7 But Dr. Lannette Linthicum I would consider as  
8 probably the best national expert in correctional care that  
9 exists, and she is on our staff. I also consider highly the  
11:40:33 10 experts that are on the Correctional Managed Healthcare such as  
11 Dr. Keiser who also serves as the health director for Galveston  
12 County.

13 We have the experts within our reach that provide  
14 great advice to this agency on how we should take care of our  
11:40:51 15 medical care.

16 **Q** Because of that, you chose not to even consider what the  
17 medical experts and prison experts in this case had said on the  
18 other side?

19 MS. VASQUEZ: Objection. Argumentative. Asked and  
11:41:03 20 answered.

21 THE COURT: I'm going to allow it.

22 THE WITNESS: I did not read those experts'  
23 depositions.

24 BY MR. KEVILLE:

11:41:14 25 **Q** Or their declarations?

Collier - As On Cross/Keville

1 **A** Correct.

2 **Q** Mr. Collier, during this COVID-19 event, TDCJ modified its  
3 grievance policy, correct?

11:41:24

4 **A** We actually modified the time frame. We never have  
5 modified the exact policy. What we did was in late May we  
6 created a specific code for COVID-19 grievances and then  
7 required that staff have to respond to those grievances within  
8 15 days and that staff are not allowed to give an extension or  
9 request an extension on those grievances.

11:41:46

10 **Q** But two things changed, right? You're not allowing  
11 extensions and the time frame has been modified to 15 days for  
12 each step, correct?

13 **A** Yes, sir, we made those adjustments.

11:42:03

14 **Q** And by the way, are you aware that there are over a hundred  
15 -- probably way more than hundred COVID-19 grievances that have  
16 been filed at the Pack Unit?

17 MS. VASQUEZ: Objection. Vague.

18 THE COURT: Allow it.

11:42:19

19 THE WITNESS: I'm not specifically aware of the number  
20 filed at the Pack Unit.

21 BY MR. KEVILLE:

22 **Q** Do you know whether it's over hundred, less than hundred?

23 **A** Again, not specifically aware.

11:42:31

24 **Q** Okay. Ultimately, it's Warden Herrera's responsibility to  
25 ensure how a grievance is addressed at the Step I phase in the

Collier - As On Cross/Keville

1 Pack Unit, correct?

2 **A** There's a grievance investigator that works for a different  
3 division than Mr. Herrera. They work for the Administrative  
4 Review and Risk Management Division and have a separate  
5 reporting mechanism. That grievance investigator would receive  
6 the grievance and then counsel with the warden on the solution  
7 for the grievance and provide that -- would work with the warden  
8 on the response for that grievance.

9 But there's a grievance investigator that works  
10 for a different entity within TDCJ assigned to that facility.

11 **Q** All right. Ultimately, though, it's the warden's final  
12 recommendation as to how you resolve a Step I grievance,  
13 correct?

14 **A** The warden would make a recommendation. If the grievance  
15 investigator felt that that recommendation was not suitable,  
16 they certainly can take that up their chain of command.

17 **Q** Did you answer that differently in your deposition, sir?

18 **A** I don't really recall.

19 MR. KEVILLE: Allen, could you put up his deposition  
20 at page 51, line 22, through 52, line 1.

21 BY MR. KEVILLE:

22 **Q** You were asked, "Though, ultimately, it's the warden's  
23 responsibility to ensure how a grievance is addressed at the  
24 Step I phase?"

25 You answered, "It would be the warden's final

Collier - As On Cross/Keville

1 recommendation; and yes, sir, that resolves the Step I."

2 Do you see that?

3 **A** I see that, yes, sir.

4 **Q** Okay. Do you stand by that testimony?

11:44:18

5 **A** I would not disagree that the warden makes the  
6 recommendation; however, I would supplement that the grievance  
7 investigator on the unit, in many cases they're going to agree  
8 with the warden's recommendation; but if for some reason they  
9 don't, they do have the ability to address that through a

11:44:34

10 separate chain of command.

11 **Q** Now, the Step I grievance comes after informal resolution  
12 in TDCJ's policy regarding processing of grievances, correct?

13 **A** Step I grievance is the initial phase of the grievance  
14 process within the procedure. So, you -- the grievance policy  
15 does recommend before you file a grievance that you -- or  
16 dictates that before you file a grievance you need to try to  
17 find an informal resolution.

11:44:52

18 **Q** Okay. And that's a dictate of the policy, you have to  
19 informal resolution in TDCJ's policy, correct?

11:45:08

20 **A** I can't remember the specific wording, but I know it's not  
21 a consistent requirement. But I know that it encourages it, and  
22 it may specifically state that it needs to be attempted. Before  
23 you go into the grievance process, you need to try to informally  
24 resolve the issue.

11:45:30

25 **Q** And up until the recent change you made at the end of May,

Collier - As On Cross/Keville

1 the grievance policy was that, if the TDCJ staff did not give  
2 themselves an extension, it would be 80 days before TDCJ was  
3 required to go through Step I and Step II grievances, correct?

4 MS. VASQUEZ: Objection. Assumes facts.

11:45:55

5 THE COURT: I'm going to allow it.

6 THE WITNESS: The grievance policy allows for when a  
7 grievance is filed there is a window of 40 days that requires  
8 the response to be within 40 days. There can be an extension  
9 requested for an additional 40 days.

11:46:10

10 BY MR. KEVILLE:

11 Q Correct. So, you could have 80 days for Step I if you got  
12 an extension, correct?

13 A Yes, sir, you could prior to the modification of the  
14 protocols.

11:46:19

15 Q Right. And now, after the modification, it's no longer 40  
16 days or 80 days to respond to Step I, it's 15 days and you can't  
17 get an extension, correct?

18 A It would be 15 days; and for a COVID-related grievance --  
19 the emergency grievances have always been required to be --

11:46:41

20 they're not extendable, if I'm not mistaken, if it's an  
21 emergency.

22 But for a COVID-specific grievance, it would be  
23 15 days; and it would be coded as a COVID-related grievance and  
24 tracked specific to that code so that we can identify those  
25 issues. Also, you could have a medical grievance; and I believe

11:46:58



Collier - As On Cross/Keville

1 the time frames may be different on that as well.

2 **Q** Now, to get through Step I and Step II as of May 26th, the  
3 maximum allowable for a COVID-19-related grievance is 30 days,  
4 correct?

11:47:14 5 **A** Yes, sir. You could have a maximum of 15 days on Step I  
6 and then a maximum of 15 days on Step II.

7 **Q** And the reason TDCJ reduced the amount of time to  
8 investigate a grievance related to COVID-19 is because the old  
9 80-day extendable to 160-day policy was way too slow to address  
11:47:33 10 COVID-19 grievances, correct?

11 **A** There's really nothing -- the policy that we have in place  
12 -- and it still remains in place. It's not a bad policy or a  
13 policy that's been found to be an issue. We just identified  
14 that we've never been in this situation before, never dealt with  
11:47:49 15 something like COVID-19, and we wanted to be as proactive as we  
16 could in identifying any complaints or issues that come through  
17 the grievance process. So, we created a protocol to do that and  
18 bring those to our attention and then resolve them in a quicker  
19 manner.

11:48:04 20 **Q** Yes. And I understand this is a completely unique new  
21 circumstance, and that's the reason you made a carve-out of your  
22 original grievance policy and said for COVID-19-related  
23 grievances, we're going to reduce that to 30 days, no extensions  
24 because the older policy was too slow to deal with those  
11:48:22 25 specific grievances, the COVID-19 grievances?

Collier - As On Cross/Keville

1 **A** I guess I don't that I ever came to the conclusion that the  
2 existing policy was too slow or that there was some other issue  
3 with it. I just identified that we wanted to know if we had  
4 COVID-related issues quickly, and the offenders knew if they  
5 filed a COVID-related grievance that we would respond to it as  
6 quickly as we could.

11:48:41

7 Other grievances have continued on the regular  
8 track; and again, there is nothing necessarily wrong with that  
9 at all. But right now, I think it's important that we identify  
10 and respond to those as quickly as we can.

11:48:54

11 **Q** Not because people can get sick and die so quickly that you  
12 needed to have this faster time frame, correct?

13 **A** I'm not sure I understand your question.

14 **Q** Sure. The reason you're saying, "Hey, the grievance policy  
15 is fine for a lot of things but we felt it was necessary to  
16 reduce the time to respond to COVID-19 grievances" is because  
17 COVID-19, as your counsel said earlier, is fast and fatal; and  
18 you needed to have a policy that could react to that?

11:49:16

19 MS. VASQUEZ: Objection. Calls for a hypothetical.

11:49:45

20 Calls for speculation.

21 THE COURT REPORTER: I'm sorry, I couldn't understand  
22 you.

23 MS. VASQUEZ: Calling for hypothetical. Calling for  
24 speculation.

11:49:45

25 THE COURT: I'm going to allow it.

Collier - As On Cross/Keville

1 THE WITNESS: Our aim at reducing the time frame,  
2 Mr. Keville, was so that we could just be as proactive as we can  
3 be on COVID-19 issues. That was --

4 BY MR. KEVILLE:

11:50:00 5 Q Fine. And the reason you were being proactive is because  
6 your old policy had such a long time frame that people could get  
7 sick and die before the grievance was responded to, correct?

8 You recognized that?

9 MS. VASQUEZ: Same objection.

11:50:13 10 THE COURT: Overruled.

11 THE WITNESS: I wouldn't agree as you say,  
12 Mr. Keville.

13 BY MR. KEVILLE:

14 Q You do agree that one of the reasons you reduced the amount  
11:50:24 15 of time to investigate COVID-19-related grievances is because  
16 the old 80-day policy was too slow to address COVID-19  
17 grievances?

18 A No, sir, I don't think I said it was too slow; and I've  
19 already said that. What I said was we just wanted -- this is  
11:50:41 20 what we had been focused on for the last three months as an  
21 entire agency.

22 So, COVID-related grievances were another area  
23 that we wanted to make sure, one, we knew that they were COVID  
24 really; and two, that we could respond to them as quickly as we  
11:50:55 25 could. That's -- we've done many things as it relates to COVID.

Collier - As On Cross/Keville

1 That was just how we addressed it within the grievance protocol.

2 **Q** Did you answer that question differently when asked in your  
3 deposition, sir?

4 **A** I'm happy to look at it. I'm not sure how different it  
5 would have been.

11:51:14

6 **Q** Remember that you said the old policy allowed more time  
7 than we felt was appropriate for COVID-19-type grievances?

8 **A** I do recall that in my deposition I was able to clarify for  
9 you that information within our policy was our policies were  
10 fine, we just wanted to be as proactive as we could with  
11 COVID-19.

11:51:35

12 **Q** Okay.

13 MR. KEVILLE: Allen, could you put up his deposition  
14 page 72, line 20, through page 73, line 3 -- or actually,  
15 through line 6.

11:52:03

16 BY MR. KEVILLE:

17 **Q** You were asked "The reason you reduced the amount of time  
18 to investigate a grievance related to COVID-19 is because the  
19 old 80-day policy was way too slow to address those grievances?"

11:52:14

20 And you said, "It would certainly be fair to say  
21 that we felt the policy as it was allowed more time than we felt  
22 was appropriate for COVID-19-type grievances."

23 Do you remember that testimony?

24 **A** I see it. Yes, sir, I remember it.

11:52:26

25 **Q** Do you stand by that testimony?

Collier - As On Cross/Keville

1 MS. VASQUEZ: Objection. The question is vague.  
2 Overbroad.

3 THE COURT: I'm going to allow it.

4 THE WITNESS: And I'm not looking at the end of my  
11:52:39 5 deposition, but I was requestioned on that item by the Attorney  
6 General's Office and I thought provided better clarification at  
7 that time.

8 BY MR. KEVILLE:

9 Q My question was different, sir. Do you stand by the  
11:52:51 10 testimony you gave that we just read, that you said, "It would  
11 certainly be fair to say we felt the policy as it was allowed  
12 more time than we felt was appropriate for COVID-19-type  
13 grievances"?

14 A I would agree that's my testimony, but I would also agree  
11:53:05 15 that I had additional testimony that clarified that.

16 Q And another thing that happened with this change in the  
17 grievance policy is that you went faster to change the policy  
18 than the normal approval process, correct?

19 A Actually, in this case, we didn't necessarily need to  
11:53:22 20 change the entire policy, we needed to make a modification of  
21 the existing protocols which we put in place.

22 Q Right. And you felt that making this change needed to be  
23 done faster than the normal administrative approval process  
24 would take, correct?

11:53:42 25 A We did not go through a modification of the existing

Collier - As On Cross/Keville

1 policy. That policy still stands today. What we did was modify  
2 protocols on the time frames that we would respond to COVID-19  
3 grievances as well as the code for specific COVID-19 grievances.

11:54:04

4 Q Did you answer that question differently in your  
5 deposition, sir?

6 A I don't recall.

7 Q Okay.

8 MR. KEVILLE: Allen, could you put up page 89 of his  
9 deposition, line 12 through 18 -- or 20.

11:54:19

10 BY MR. KEVILLE:

11 Q We were talking about the change to the grievance policy  
12 and you were asked: "And you felt even making this change  
13 needed to be done faster than the normal administrative process  
14 would take, correct, making this change to the grievance  
15 policy?"

11:54:33

16 And you said, "Yes, sir."

17 A Yes, sir, I see exactly that. I don't argue with that at  
18 all.

19 Q Okay.

11:54:40

20 A I will tell you that in doing that, when you're making a  
21 protocol change within the system, you don't necessarily always  
22 go through a policy change and go through that process; and  
23 again, I don't know that this will be a permanent adjustment.  
24 But for right now, it is an adjustment in the protocol.

11:54:57

25 But we did not go through the whole process to

Collier - As On Cross/Keville

1 modify the policy. That would definitely have taken a long  
2 time, but it also may not be a policy modification we intend to  
3 make for the long haul.

11:55:11 4 **Q** But you stand by your testimony that you went faster than  
5 the normal process would to make this change?

6 **A** Yes, sir.

7 **Q** Okay. I think you said earlier -- let me just be sure --  
8 that you left it up to Warden Herrera to determine where he  
9 could enforce increased social distancing at the Pack Unit?

11:55:40 10 **A** Throughout the process and throughout the time that we  
11 dealt with COVID-19, each of our unit wardens developed a plan  
12 on their facilities how they could do social distancing. They  
13 worked with our risk managers that are assigned to the facility.  
14 They helped develop those plans. So, I know Warden Herrera has  
11:56:02 15 done that at the Pack Unit.

16 **Q** I'm sorry. Maybe my question wasn't clear, and I  
17 apologize. You left it up to Warden Herrera to determine where  
18 he can enforce increased social distancing at the Pack Unit,  
19 correct?

11:56:14 20 **A** Each warden, yes, sir. Each warden working with risk  
21 management. Warden Herrera knows the Pack facility better than  
22 anyone else. And his expertise as the warden of that facility  
23 would be the one that we would want developing the social  
24 distancing plan working, obviously, with our risk managers and  
11:56:32 25 then having that plan approved by his management team.

Collier - As On Cross/Keville

1 Q And you said each warden, including Warden Herrera,  
2 developed a plan for their unit; but you've never seen Warden  
3 Herrera's plan for the Pack Unit, correct?

4 A I did not personally review it, no, sir.

11:56:49 5 Q You've never seen?

6 A No, sir.

7 Q Don't even know if it exists?

8 A I have no reason to believe it doesn't exist, but I haven't  
9 personally seen it.

11:56:57 10 Q Okay. And it's on Warden Herrera and his leadership team  
11 to make the necessary adaptations to enforce social distancing at  
12 the Pack Unit, correct?

13 A I'm sorry, Mr. Keville, could you say that again. I  
14 apologize.

11:57:10 15 Q Sure. It's on Warden Herrera to make the necessary  
16 adaptations to enforce social distancing at the Pack Unit,  
17 correct?

18 MS. VASQUEZ: Objection. Vague and overbroad.

19 THE COURT: I'm going to allow it.

11:57:22 20 THE WITNESS: Warden Herrera would develop the plan of  
21 how they're going to do social distancing at the Pack Unit; and  
22 yes, through his management team, they would enforce the social  
23 distancing at the Pack Unit.

24 Q And did you give him any specific instructions, Warden  
11:57:37 25 Herrera, where you said, "Hey, I want you to make a plan"? Or



Collier - As On Cross/Keville

1 was that just something that you assumed was filtered down to  
2 him through others?

3 **A** I know that each warden conducting a social distancing  
4 plan. I know that Ms. Davis and I had discussions about that.  
5 I have no reason to question that Warden Herrera did that.

11:57:53

6 **Q** Did you ever instruct anything about rearranging inmates in  
7 the dorms at the Pack Unit, for example, moving people into open  
8 bunks or having people change the way they're sleeping so  
9 they're head to foot? Anything like that that you did

11:58:23

10 specifically for the Pack Unit to increase social distancing?

11 **A** I have had discussions about head to foot as it's  
12 identified within the CDC guidelines, but I don't recall  
13 specifically a discussion about Pack. I'm not sure that I did.  
14 I don't recall one specifically.

11:58:43

15 **Q** Let's talk a minute about contact tracing. You're not  
16 aware of any written policy at TDCJ for how TDCJ is supposed to  
17 perform contact tracing, correct?

18 **A** For offenders or staff?

19 **Q** For -- well, offenders. Let's start there.

11:59:03

20 **A** Okay. For offenders, no, sir. I'm personally not aware of  
21 written instructions. They may exist within the Correctional  
22 Institution Division, but I'm not specifically aware of that.

23 **Q** And is there a specific written policy for how you perform  
24 contact tracing for staff?

11:59:19

25 **A** We perform contact tracing for staff with the assistance of

Collier - As On Cross/Keville

1 the Health Services Division and, essentially, the Department of  
2 Health Services. There may be specific policies related to that  
3 because they extend even beyond our agency, but I'm not  
4 personally aware of a TDCJ policy. I'm surely not saying it  
5 exists, but I'm not saying it doesn't exist either.

11:59:40

6 **Q** Now, when we discussed contact tracing in your deposition,  
7 you said you understand that the unwritten practice at TDCJ for  
8 contact tracing for positive COVID-19 inmates is a review of  
9 where that inmate was housed and looking for who that inmate has  
10 been around during the last 14 days; and then, those inmates  
11 would be placed on observation, correct?

12:00:03

12 **A** Yes, sir, I believe that's what I said. I believe the  
13 actual protocol is 48 hours, not 14 days.

14 **Q** Okay. So, you thought the protocol was 14 days; and since  
15 then, you found out it's only 48 hours?

12:00:19

16 **A** I believe in our deposition, if I remember as I read it, I  
17 even was confused as you and I talked about that time frame  
18 because I did -- but I absolutely agree I said 14 days when we  
19 started. And then -- but it is 48 hours. I confirmed that  
20 after our deposition -- my deposition.

12:00:36

21 **Q** You also said the other thing that was part of the TDCJ  
22 practice, unwritten practice for contact tracing, was, if the  
23 offender was working, identify individuals that he has been  
24 around through work. Do you recall that? Is that part of the  
25 practice or did you find something different out later?

12:01:02

Collier - As On Cross/Keville

1 **A** For contact tracing for an offender. You would, "A," look  
2 at the housing area. We know who is housed where on a facility.  
3 We also know who works there -- where on a facility. So, you  
4 would look at the housing area; and if the offender had a job  
5 and had been working, you would have identified, if that  
6 individual was working, who were the other offenders that were  
7 working at the same time as well as the other staff.

12:01:18

8 **Q** And I think the last thing you said was part of the  
9 unwritten practice of contact tracing was identify by which  
10 staff had prolonged contact within six feet of the offender.

12:01:36

11 Do you recall that?

12 **A** Contact tracing, if I'm not mistaken, would have a  
13 discussion about anybody who's had contact within a less than  
14 six-foot window for an extended period of time such as 15  
15 minutes.

12:01:54

16 **Q** All right.

17 **MR. KEVILLE:** I'd like to put up Plaintiffs' Exhibit  
18 186 which I will move into evidence.

19 **THE COURT:** Any objection?

12:02:10

20 Any objection to this exhibit?

21 Ms. Vasquez, is there any objection to this  
22 exhibit?

23 **MS. VASQUEZ:** Is this a document received from  
24 Defendants?

12:02:34

25 **MR. KEVILLE:** This was a document that you produced.

Collier - As On Cross/Keville

1 MS. VASQUEZ: No objection.

2 THE COURT: Admitted without objection.

3 BY MR. KEVILLE:

4 Q Okay. This is a contact tracing form for TDCJ.

12:02:46

5 Do you recognize that?

6 A Not specifically. I don't use the form, but I won't argue  
7 with you that that's a form that we use.

8 Q Okay. Earlier, you said that contact tracing had been done  
9 after Mr. Clerkly passed away, correct?

12:03:02

10 A I believe that's my understanding, yes, sir.

11 Q Okay.

12 MR. KEVILLE: Let's go to page 3 of this Plaintiffs'  
13 Exhibit 186.

14 And blow up the bottom there.

12:03:17

15 Let's start at the top, actually. Let's start at  
16 the top, Allen.

17 BY MR. KEVILLE:

18 Q First box says timeline starting two days prior to symptoms  
19 appeared, what housing areas, populations has the offender been  
20 in; and there is nothing filled out, correct?

12:03:37

21 A I'm just grabbing another form, Mr. Keville, so I can see  
22 what you're talking about. You're talking about -- I see  
23 nothing filled out, yes, sir.

24 Q Yeah. And then, if we go down to the next section, it says  
25 timeline starting two days prior to the date symptoms appeared

12:03:44

Collier - As On Cross/Keville

1 with all staff who were working in the housing area where the  
2 offender was living on both days. And you see there is nothing  
3 filled out there either?

4 **A** Yes, sir, I see that.

12:03:57 5 **Q** Okay. So, then, we see in the bottom section COVID-19  
6 offender source contact tracing continued timeline. So, there's  
7 a timeline written out in the bottom, but there are zero people  
8 identified in the contact tracing form for Mr. Clerkly that  
9 should have been figured out, correct?

12:04:22 10 **A** It's say offender -- let's see Clerkly lived in 3 dorm,  
11 bunk 49. There were a total of 53 offenders. So, it's my  
12 understanding, obviously -- because we tested that dorm as well.  
13 We knew he was housed with at the facility.

14 So, I don't know if that's what you're asking;  
12:04:38 15 but I know that we knew where he was housed. Also knew, if I'm  
16 not mistaken, he had not worked during the two days prior to him  
17 leaving. I think it was two weeks before that when he was  
18 working.

19 **Q** Did you know -- is there any investigation here on when he  
12:04:53 20 was working?

21 **A** I don't see it documented. My understanding is it had been  
22 at least two weeks before he left the unit that he was actually  
23 working.

24 **Q** One of the reasons he wasn't working was because he had  
12:05:05 25 symptoms that appeared earlier than April 11th, correct?

Collier - As On Cross/Keville

1 MS. VASQUEZ: Objection. Calls for speculation.

2 THE COURT: Overruled.

3 THE WITNESS: No, sir. I'm not aware of -- if he had  
4 COVID-related symptoms prior to that or not.

12:05:20

5 BY MR. KEVILLE:

6 **Q** Mr. Clerkly had shortness of breath and breathing  
7 difficulties that he reported on April 5th, April 8th, and April  
8 11th.

9 Are you aware of that?

12:05:30

10 MS. VASQUEZ: Objection. This is misleading, your  
11 Honor.

12 THE COURT: I'm going to allow it.

13 MS. VASQUEZ: Also, Bryan Collier has no personal  
14 knowledge about Mr. Clerkly's --

12:05:43

15 THE COURT: He can say that. No personal knowledge.  
16 He can say that.

17 THE WITNESS: And I don't, your Honor, I'm sorry. I  
18 don't have any knowledge of his medical.

19 THE COURT: Okay.

12:05:50

20 BY MR. KEVILLE:

21 **Q** Do you know if Mr. Clerkly had gone to the medical  
22 department several times in the week before? Do you know that  
23 generally?

24 **A** No, sir.

12:05:57

25 **Q** If he should -- if he did, that should show up on this

Collier - As On Cross/Keville

1 form, correct?

2 MS. VASQUEZ: Objection. Incomplete hypothetical.  
3 Assumes facts.

4 THE COURT: I'm going to allow it.

12:06:12

5 THE WITNESS: In contact tracing, if he went to  
6 medical, yes, sir, I think you would look at where that person  
7 has been in the 48 hours prior. If he had gone there in the 48  
8 hours, if he was seen in medical, then you would -- that would  
9 probably be something identified.

12:06:24

10 BY MR. KEVILLE:

11 Q You see the date for the timeline is April 11th, correct?

12 A I see that, yes, sir.

13 Q That's the date Clerkly had passed away, right? There was  
14 no tracing done for even the two days before the day he passed  
15 away?

12:06:40

16 A It was my understanding that Clerkly had been in the dorm.  
17 They identified the offenders in the dorm as offenders that were  
18 put on medical restriction. That's the same offenders that we  
19 tested, and it was also my understanding through discussions  
20 that he had not worked for two weeks prior to the time he was  
21 out of the unit.

12:06:56

22 Q In this contact tracing, there is no identification of  
23 where Mr. Clerkly may have gone outside the dorm or who he may  
24 have been in contact with, correct? It just says where he  
25 lived?

12:07:13

Collier - As On Cross/Keville

1 **A** It does, yes, sir, you're right.

2 **Q** It says contact -- the contact tracing is supposed to go  
3 and find who he's been in contact with, correct?

12:07:28

4 **A** If he had contact with someone two days prior to that  
5 outside of his living area, that would have to be a discussion  
6 that you would have as you do the contact investigation. I  
7 don't know whether Warden Herrera talked to medical, if that was  
8 identified, or if he was even in medical or seen in his -- as  
9 you say, was he seen during that time? I'm not sure if he was  
10 seen or not or if he was seen in the dorm or in medical, but  
11 that would certainly be part of the discussion.

12:07:45

12 **Q** Well, we can just see right in the first line we're looking  
13 at here on the screen about the timeline. It says he received  
14 daily breathing treatments. But there's nothing identifying who  
15 the medical people he saw that had the daily breathing  
16 treatments, correct?

12:08:00

17 **A** No documentation of that here, yes, sir.

18 **Q** No documentation of anyone he saw from the medical  
19 department, correct?

12:08:15

20 **A** Not that I can see.

21 **Q** No documentation of what officers he came in contact with  
22 or, heck, even what officers were in the dorm that he lived in  
23 for the two days prior to April 11th, correct?

12:08:31

24 **A** There's no documentation. The facility would know that;  
25 and then -- again; but it's not documented on the form.



Collier - As On Cross/Keville

1 Q Right. And it's supposed to be documented on the form if  
2 you're doing contact tracing, correct?

3 A I would think you would document the staff that they had  
4 contact with; but I haven't completed a form, haven't done that;  
5 but I would think that would be part of the protocol.

12:08:46

6 Q So, are you saying sometimes at TDCJ people just say, heck,  
7 we know who he's been in contact with and they don't put it on  
8 the form or are you --

9 A I don't know. Mr. Keville, that would be the first contact  
10 form probably done probably at the Pack Unit because he was the  
11 first Pack Unit offender. I don't know details. I don't do the  
12 form. I'm not specifically familiar with the form.

12:09:00

13 Q But it would have been really important since he was the  
14 first inmate on the Pack Unit who died of COVID-19 to make sure  
15 you get the contact tracing right on that one. You would agree  
16 with that, right?

12:09:17

17 A I think it would be important to get the contact tracing  
18 correct on anyone.

19 Q And what we see on this form, Plaintiffs' Exhibit 186, is  
20 there is not a single individual identified who Mr. Clerkly had  
21 contact with either the two days before the day he died or 14  
22 weeks (sic). There's no one, correct?

12:09:32

23 A There is no name documented. I don't know that that  
24 equates to that nothing occurred. Because I do know we tested  
25 the dorm. So, I would have confidence that Warden Herrera knew

12:09:50

Collier - As On Cross/Keville

1 what staff he was in contact with; and if he was in medical, he  
2 would also know what medical staff and also what medical staff  
3 were wearing if they had contact with him. If they're in full  
4 protective equipment, then I think the warden would know that as  
5 well. He didn't document that on the form.

12:10:09

6 **Q** Right. And he didn't tell you he knew or did any of that,  
7 correct?

8 **A** Warden Herrera and I have not had a discussion about that  
9 contact tracing specifically.

12:10:18

10 **Q** And you would agree, at least according to what's on this  
11 form, contact tracing was not done correctly. This is the form  
12 for Leonard Clerkly that you guys gave us.

13 **A** Yes, sir. But again, I didn't provide the instruction.  
14 I've not ever done a contact investigation personally. Yes,  
15 it's not documented. That level of documentation is not there.

12:10:37

16 **Q** Do you agree that -- do you know that everyone in that dorm  
17 tested negative after Mr. Clerkly died?

18 **A** Yes, sir.

19 **Q** And then, after that up until now, over 400 people have  
20 tested positive in the Pack Unit, correct?

12:10:55

21 **A** Yes, sir.

22 **Q** Do you think maybe you could have done a better job with  
23 the contact tracing in isolating COVID-19 after Mr. Clerkly's  
24 death?

12:11:07

25 MS. VASQUEZ: Objection. Argumentative. Vague.

Collier - As On Cross/Keville

1 THE COURT: I'm going to allow it.

2 MS. VASQUEZ: Personal knowledge.

3 THE WITNESS: I don't have any reason to believe that  
4 the contact investigation with Mr. Clerkly has anything to do  
5 with additional positives on the unit. We tested everyone that  
6 to my knowledge had been exposed to him on the unit, and those  
7 tests were negative. And it was sometime before we had an  
8 additional positive, if I'm not mistaken.

9 BY MR. KEVILLE:

10 Q Sure. But as far as you can see from this form, nobody  
11 went back and tried to isolate specific individuals either  
12 outside the dorm that he came in contact with or people who came  
13 inside the dorm, no staff, no medical. None of that was done at  
14 least according to the form you gave us, correct?

15 A It's not documented on the form.

16 Q Mr. Collier, you've had no discussions with anyone about  
17 early release as a way to social distance -- increase social  
18 distancing at the Pack Unit, correct?

19 MS. VASQUEZ: Objection, your Honor. Early release is  
20 not anything that Plaintiffs have pled.

21 THE COURT: I'm going to allow it.

22 THE WITNESS: TDCJ during the COVID event has  
23 continued to make sure that anyone scheduled for release or  
24 anyone already enrolled in a program continued so we kept  
25 releasing on track, and we did not delay people's release so

Collier - As On Cross/Keville

1 that they could continue in programs.

2 We did have to stop placement of offenders into  
3 programs when we became -- we stopped intake and, essentially,  
4 became gridlocked because we had so many units. We were not  
5 transferring offenders to new units. So, we had released  
6 everyone that we could during the course of the event.

7 And our overall population has gone from 142,000  
8 to 126,000. So, we had released -- we did not do an early  
9 release. We don't have the authority to do an early release or  
10 any other mechanism, and I have not had a discussion about doing  
11 that with any outside entity.

12 **Q** Mr. Collier, you kept daily notes on a notepad of your  
13 meetings and you're looking at issues regarding COVID-19 and  
14 then reporting that information out, correct?

15 **A** I kept a lot of notes during the whole event. So, I kept  
16 notes that I did provide to the attorneys.

17 **Q** And you took those sheets of your notes off your daily  
18 notes and you gave it to your assistant every day, correct, the  
19 notes about COVID-19?

20 **A** They were notes that I gathered before we, typically, did  
21 our conference calls in the afternoon. But it could have been  
22 notes from even other events as well, yes, sir.

23 **Q** And you did that every day since March; and then, you gave  
24 those notes to your counsel, correct, your general counsel?

25 **A** Yes, sir.

Collier - Direct/Vasquez

1 Q You were deposed on June 4th, 2020, and you said you had  
2 given those notes to your counsel, correct?

3 A That was my understanding, yes, sir.

4 Q Can you explain why those notes were never produced,  
5 Mr. Collier?

12:14:02

6 MS. VASQUEZ: Objection. Personal knowledge. He  
7 doesn't know why they weren't produced.

8 THE COURT: If he doesn't know, he can say he doesn't  
9 know. I'm going to allow it.

12:14:15

10 THE WITNESS: No, sir, I don't -- I know I provided  
11 those notes, but I don't know that answer.

12 MR. KEVILLE: Your Honor, I'll pass the witness now.

13 THE COURT: Okay.

14 Any questions for this witness, Ms. Vasquez?

12:14:24

15 Ms. Vasquez, any questions of this witness?

16 MS. VASQUEZ: Yes, your Honor.

17 DIRECT EXAMINATION

18 BY MS. VASQUEZ:

12:15:01

19 Q Mr. Collier, what is your understanding as to what prompts  
20 contact tracing to be done?

21 A When we receive information regarding a positive test  
22 result, that would trigger the next steps of doing the contact  
23 investigation.

12:15:20

24 Q So, once you receive a positive test result, then you can  
25 conduct contact tracing for the previous 48 hours from that test

Collier - Direct/Vasquez

1 result, correct?

2 **A** From the test date.

3 **Q** From the test date?

4 **A** Yes, ma'am.

12:15:29 5 **Q** Earlier, Mr. Keville was questioning you regarding the  
6 grievance procedure. Is there an instance where the grievance  
7 procedure that has been in place with TDCJ was shown to be  
8 ineffective or not to respond quickly enough to any grievance --  
9 any COVID-19-related grievances?

12:16:02 10 **A** I don't know of any specific COVID grievance in that  
11 category.

12 **Q** So, there was never an instance where the previous  
13 deadlines in place for the grievance procedure were shown to be  
14 too long to adequately respond to a COVID-19 grievance?

12:16:28 15 **A** No, ma'am. I'm not -- this -- the change that we made was  
16 not in response to an incident or a grievance that I'm aware of  
17 or a specific notation of a grievance problem. It was just to  
18 try to make sure that we got that information sooner and  
19 responded to it and had it coded so we could clearly identify  
12:16:45 20 it.

21 **Q** Earlier, Mr. Keville was questioning you regarding your  
22 deposition.

23 MR. KEVILLE: Your Honor, this is improper. Excuse  
24 me.

12:17:08 25 THE COURT: There's an objection. What's the

Collier - Direct/Vasquez

1 objection? Hold on a second, we got --

2 THE COURT REPORTER: I'm sorry, there's, like, five  
3 people talking at the same time. Ms. Vasquez.

4 (Simultaneous speaking; indiscernible.)

12:17:15 5 THE COURT: Ms. Vasquez, can you hear me?

6 (No response.)

7 THE COURT: Ms. Vasquez, can you hear me?

8 (No response.)

9 THE COURT: Ms. Vasquez, can you hear me?

12:17:51 10 MS. VASQUEZ: Yes.

11 THE COURT: We couldn't hear you. So, none of that  
12 question has been -- has been transcribed.

13 And do we have an objection, too?

14 MR. KEVILLE: Yes, your Honor. I object to putting up  
12:18:02 15 his deposition. This is not impeachment. This is leading him  
16 with his own prior testimony. She's actually reading in his  
17 testimony. If she has a question, ask the question. But you  
18 can't put up his deposition testimony in advance of the  
19 question.

12:18:16 20 THE COURT: What is the purpose of showing him his  
21 deposition testimony, Ms. Vasquez?

22 MS. VASQUEZ: Mr. Keville attempted to impeach  
23 Mr. Collier earlier with deposition testimony, and this is  
24 deposition testimony from the same deposition where he testified  
12:18:30 25 consistent with what he is saying now.

Collier - Direct/Vasquez

1 THE COURT: Well, you can ask him about that; but you  
2 can't show it to him yet. You can ask him about that.

3 BY MS. VASQUEZ:

4 Q Mr. Collier, what you're testifying to today regarding the  
12:18:49 5 grievance procedure and the COVID-19 change to the grievance  
6 procedure, is that consistent with how you testified in your  
7 deposition?

8 A Yes, ma'am.

9 MS. VASQUEZ: Pass the witness.

12:19:06 10 THE COURT: You pass the witness?

11 MS. VASQUEZ: Yes.

12 THE COURT: Okay.

13 Any redirect?

14 MR. KEVILLE: No, your Honor, no recross.

12:19:16 15 THE COURT: Okay, you may step down. Thank you,  
16 Director Collier. Thank you.

17 THE WITNESS: Yes, sir.

18 THE COURT: What would you like to do, guys? Do you  
19 want to take a break now or you want to do one more witness?  
12:19:30 20 What's your preference.

21 You're excused, Mr. Collier. Thank you. You're  
22 excused.

23 THE WITNESS: Yes, sir.

24 MR. KEVILLE: Your Honor, for Plaintiffs, our next  
12:19:37 25 witness is Mr. Valentine. He will take a little while. So,



Collier - Direct/Vasquez

1 perhaps, we take our break here and then start --

2 THE COURT: We'll break until 1:00 o'clock. Thank  
3 you.

4 (Court recessed at 12:19 p.m.)  
5  
6

7 C E R T I F I C A T E  
8

9 I certify that the foregoing is a correct transcript  
10 from the record of proceedings in the above-entitled matter, to  
11 the best of my ability.

12 This record was taken through video or telephone  
13 conference which may have affected the quality of the record.  
14

15 By: /s/ Gayle L Dye 07-13-2020

16 Gayle L. Dye, CSR, RDR, CRR Date  
17  
18  
19  
20  
21  
22  
23  
24  
25

			<b>A</b>
'deliberate' [1] - 24:12 'indifference' [1] - 24:13	<b>160</b> [1] - 88:9 <b>160-day</b> [1] - 97:9 <b>16th</b> [1] - 28:25 <b>17</b> [2] - 18:15, 88:6 <b>172</b> [1] - 85:23 <b>18</b> [1] - 102:9 <b>1800</b> [1] - 10:1 <b>185</b> [1] - 49:10 <b>186</b> [4] - 49:10, 107:18, 108:13, 113:19 <b>19</b> [10] - 7:7, 8:5, 17:14, 21:2, 35:13, 36:7, 86:14, 87:24, 88:5 <b>1983</b> [1] - 22:3 <b>19th</b> [1] - 6:23 <b>1:00</b> [1] - 121:2	<b>48-hour</b> [1] - 61:23 <b>481</b> [3] - 8:1, 8:3, 16:17 <b>487</b> [5] - 6:25, 7:1, 7:2, 16:18, 21:2 <b>49</b> [1] - 109:11 <b>4th</b> [11] - 28:11, 48:19, 83:14, 84:3, 85:16, 86:12, 86:13, 86:20, 86:22, 87:8, 117:1	<b>a.m</b> [3] - 1:8, 78:17, 78:18 <b>Abbott</b> [1] - 29:20 <b>ability</b> [4] - 46:9, 60:9, 95:9, 121:11 <b>able</b> [15] - 14:6, 22:15, 24:7, 24:9, 24:10, 31:23, 32:9, 35:3, 37:4, 40:3, 55:7, 65:6, 71:15, 80:2, 100:8 <b>above-entitled</b> [1] - 121:10 <b>absolute</b> [1] - 49:25 <b>absolutely</b> [2] - 47:8, 106:18 <b>abuse</b> [1] - 33:5 <b>accelerant</b> [2] - 33:2, 75:19 <b>accelerate</b> [1] - 84:12 <b>acceptable</b> [1] - 82:15 <b>access</b> [16] - 45:24, 53:10, 53:22, 56:19, 64:2, 65:21, 66:22, 67:11, 68:5, 77:13, 78:10, 79:16, 79:18, 80:2, 80:10 <b>accessibility</b> [1] - 84:17 <b>accessible</b> [1] - 79:24 <b>accidental</b> [1] - 11:2 <b>accommodation</b> [2] - 66:5, 66:7 <b>accommodations</b> [1] - 20:13 <b>according</b> [6] - 44:1, 59:24, 61:22, 114:10, 115:14 <b>accuracy</b> [2] - 5:13, 5:17 <b>accurate</b> [5] - 10:19, 11:3, 11:15, 64:9, 64:11 <b>achieve</b> [2] - 20:11, 70:24 <b>acquire</b> [2] - 31:2, 71:15 <b>act</b> [3] - 17:17, 22:4, 26:12 <b>acted</b> [5] - 29:19, 30:4, 30:10, 33:25, 35:19 <b>action</b> [2] - 15:22, 29:16 <b>Action</b> [1] - 1:6 <b>actions</b> [1] - 28:6 <b>activities</b> [1] - 41:15 <b>actual</b> [3] - 5:18, 37:18, 106:13 <b>ADA</b> [3] - 22:4, 85:8, 89:2 <b>adaptation</b> [6] - 69:22, 70:8, 70:10, 70:12, 70:18, 71:4 <b>adapptions</b> [2] - 104:11, 104:16 <b>added</b> [2] - 57:1, 57:18 <b>addition</b> [3] - 18:2, 70:3, 70:17 <b>additional</b> [18] - 19:17, 20:8, 31:2, 35:4, 49:1, 49:22, 50:8, 51:5, 52:13, 53:23, 56:20, 57:2, 71:10, 88:9, 96:9, 101:15, 115:5, 115:8 <b>address</b> [26] - 9:24, 10:16, 12:6, 12:16, 25:19, 27:19, 28:13, 28:15, 29:1, 29:7,
/			
/s/Gayle [1] - 121:15			
<b>1</b>	<b>2</b>	<b>5</b>	
<b>1</b> [3] - 1:12, 37:16, 94:20 <b>1,000</b> [1] - 37:16 <b>1,160</b> [1] - 36:18 <b>1,863</b> [1] - 7:25 <b>10-minute</b> [1] - 78:15 <b>100</b> [1] - 21:4 <b>100.4</b> [1] - 30:11 <b>104</b> [6] - 41:18, 41:21, 41:24, 42:2, 42:4, 69:12 <b>107,000</b> [1] - 48:23 <b>10th</b> [1] - 50:1 <b>1101</b> [1] - 2:6 <b>111</b> [2] - 87:24, 88:5 <b>1179</b> [1] - 15:4 <b>11:04</b> [1] - 78:17 <b>11:22</b> [1] - 78:18 <b>11th</b> [7] - 2:6, 25:5, 29:25, 109:25, 110:8, 111:11, 112:23 <b>12</b> [1] - 102:9 <b>12-hour</b> [1] - 19:18 <b>1200</b> [1] - 15:1 <b>1248</b> [1] - 10:5 <b>12548</b> [1] - 2:13 <b>126,000</b> [1] - 116:8 <b>127</b> [1] - 36:17 <b>12:19</b> [1] - 121:4 <b>12th</b> [1] - 28:16 <b>13</b> [2] - 1:8, 4:2 <b>131</b> [2] - 35:24, 35:25 <b>135,000</b> [1] - 36:9 <b>13th</b> [2] - 28:21, 31:7 <b>14</b> [9] - 18:11, 51:7, 57:12, 58:5, 106:10, 106:13, 106:14, 106:18, 113:21 <b>14-day</b> [1] - 18:15 <b>14.52</b> [16] - 15:18, 17:23, 18:6, 18:21, 44:6, 68:25, 69:14, 69:15, 69:17, 69:22, 69:24, 70:2, 70:3, 70:4, 70:9, 70:12 <b>142,000</b> [1] - 116:7 <b>14:52</b> [1] - 27:23 <b>14th</b> [1] - 31:20 <b>15</b> [10] - 12:9, 34:17, 93:8, 93:11, 96:16, 96:18, 96:23, 97:5, 97:6, 107:14 <b>15-minute</b> [2] - 78:15, 78:16 <b>16</b> [3] - 27:17, 38:5, 38:9	<b>2</b> [3] - 37:14, 87:12, 87:13 <b>20</b> [8] - 21:2, 21:4, 21:20, 27:20, 35:6, 79:7, 100:14, 102:9 <b>2020</b> [11] - 1:8, 4:2, 27:17, 27:20, 30:8, 48:19, 49:23, 86:12, 86:13, 86:22, 117:1 <b>21</b> [3] - 38:3, 38:7, 38:21 <b>22</b> [1] - 94:20 <b>226</b> [1] - 15:12 <b>24</b> [1] - 15:12 <b>2400</b> [1] - 1:21 <b>24th</b> [1] - 30:14 <b>25</b> [1] - 49:10 <b>26</b> [1] - 17:3 <b>26th</b> [1] - 97:2 <b>27</b> [1] - 38:5 <b>27th</b> [2] - 28:2, 50:2	<b>51</b> [1] - 94:20 <b>512.370.9996</b> [1] - 2:15 <b>512.623.7727</b> [1] - 2:7 <b>512.623.7729</b> [1] - 2:7 <b>512.936.1378</b> [1] - 2:14 <b>515</b> [1] - 2:19 <b>52</b> [1] - 94:20 <b>53</b> [1] - 109:11 <b>56</b> [2] - 87:24, 88:6 <b>569,000</b> [1] - 36:10 <b>5th</b> [1] - 110:7	
		<b>6</b>	
		<b>6</b> [1] - 100:15 <b>60</b> [2] - 33:1, 79:10 <b>600</b> [1] - 10:3 <b>65</b> [2] - 15:1, 55:3 <b>67</b> [1] - 48:23	
		<b>7</b>	
		<b>713.250.5582</b> [1] - 2:20 <b>713.651.2600</b> [1] - 1:22 <b>713.651.2700</b> [1] - 1:22 <b>72</b> [2] - 18:7, 100:14 <b>73</b> [1] - 100:14 <b>77002</b> [2] - 1:21, 2:20 <b>78702</b> [1] - 2:6 <b>78711</b> [1] - 2:14	
		<b>8</b>	
		<b>8.45</b> [1] - 16:13 <b>8.84</b> [1] - 16:12 <b>80</b> [3] - 96:2, 96:11, 96:16 <b>80-day</b> [3] - 97:9, 99:16, 100:19 <b>80-to-160</b> [1] - 17:5 <b>800</b> [2] - 1:20, 15:1 <b>8004</b> [1] - 2:19 <b>89</b> [1] - 102:8 <b>8:00</b> [2] - 38:3, 38:21 <b>8th</b> [3] - 5:9, 17:10, 110:7	
		<b>9</b>	
		<b>9:16</b> [1] - 1:8 <b>9th</b> [1] - 28:14	

<p>29:14, 32:17, 35:11, 37:22, 45:9, 51:25, 52:9, 52:23, 57:4, 69:18, 70:5, 76:16, 95:9, 97:9, 99:16, 100:19</p> <p><b>addressed</b> [3] - 93:25, 94:23, 100:1</p> <p><b>adequate</b> [2] - 32:6, 54:8</p> <p><b>adequately</b> [1] - 118:14</p> <p><b>adjusted</b> [1] - 33:4</p> <p><b>adjustment</b> [2] - 102:23, 102:24</p> <p><b>adjustments</b> [1] - 93:13</p> <p><b>administer</b> [1] - 40:18</p> <p><b>administration</b> [4] - 40:23, 66:18, 91:1, 91:12</p> <p><b>administration's</b> [1] - 66:18</p> <p><b>administrative</b> [4] - 16:8, 94:3, 101:23, 102:13</p> <p><b>admission</b> [1] - 87:12</p> <p><b>admit</b> [4] - 37:9, 37:11, 53:17, 86:17</p> <p><b>admitted</b> [2] - 87:21, 108:2</p> <p><b>adopted</b> [5] - 17:23, 20:23, 27:21, 27:23, 28:2</p> <p><b>advance</b> [1] - 119:18</p> <p><b>advice</b> [9] - 48:25, 56:11, 57:24, 67:18, 67:24, 67:25, 73:13, 73:17, 92:14</p> <p><b>advise</b> [1] - 67:20</p> <p><b>advised</b> [1] - 31:10</p> <p><b>advising</b> [2] - 30:10, 66:9</p> <p><b>advisory</b> [1] - 13:5</p> <p><b>affected</b> [1] - 121:13</p> <p><b>afraid</b> [1] - 34:11</p> <p><b>afternoon</b> [1] - 116:21</p> <p><b>AG's</b> [2] - 25:24, 84:2</p> <p><b>agency</b> [6] - 30:15, 41:13, 92:6, 92:14, 99:21, 106:3</p> <p><b>agents</b> [1] - 55:17</p> <p><b>ago</b> [5] - 48:3, 48:18, 51:8, 71:7, 72:4</p> <p><b>agree</b> [41] - 10:12, 40:1, 45:23, 46:6, 46:25, 48:10, 48:16, 48:18, 53:12, 54:2, 54:16, 55:24, 56:13, 56:21, 57:13, 57:20, 57:22, 58:2, 58:18, 59:1, 59:13, 60:22, 61:10, 61:18, 62:1, 62:12, 63:5, 63:11, 69:9, 73:22, 81:16, 95:7, 99:11, 99:14, 101:14, 106:18, 113:15, 114:10, 114:16</p> <p><b>agreeable</b> [1] - 39:24</p> <p><b>agreed</b> [4] - 5:20, 12:8, 72:4, 72:12</p> <p><b>agreeing</b> [8] - 46:1, 52:24, 54:6, 55:12, 56:11, 57:6, 60:12, 62:18</p> <p><b>agreement</b> [1] - 46:6</p> <p><b>ahead</b> [6] - 12:14, 12:19,</p>	<p>12:20, 17:21, 29:16, 59:19</p> <p><b>AIDED</b> [1] - 1:25</p> <p><b>aim</b> [1] - 99:1</p> <p><b>air</b> [3] - 60:5, 60:6, 82:3</p> <p><b>air-conditioning</b> [2] - 60:5, 82:3</p> <p><b>alcohol</b> [8] - 32:25, 33:1, 33:3, 75:9, 75:18, 77:8, 79:10</p> <p><b>alcohol-based</b> [3] - 32:25, 33:3, 77:8</p> <p><b>Allen</b> [9] - 18:22, 19:8, 48:7, 49:9, 79:2, 94:19, 100:13, 102:8, 108:16</p> <p><b>allotment</b> [1] - 56:20</p> <p><b>allow</b> [23] - 45:1, 45:23, 56:3, 56:5, 59:23, 63:8, 74:9, 76:1, 86:17, 88:24, 91:3, 92:21, 93:18, 96:5, 98:25, 101:3, 104:19, 110:12, 111:4, 115:1, 115:21, 117:9</p> <p><b>allowable</b> [1] - 97:3</p> <p><b>allowed</b> [8] - 40:6, 40:10, 40:11, 78:10, 93:8, 100:6, 100:21, 101:11</p> <p><b>allowing</b> [3] - 75:8, 75:23, 93:10</p> <p><b>allows</b> [1] - 96:6</p> <p><b>almost</b> [1] - 30:6</p> <p><b>alone</b> [2] - 17:24, 37:4</p> <p><b>alter</b> [1] - 84:16</p> <p><b>alternative</b> [2] - 57:11, 58:2</p> <p><b>alternatives</b> [1] - 60:2</p> <p><b>ambush</b> [1] - 38:13</p> <p><b>amended</b> [3] - 38:4, 38:14, 38:20</p> <p><b>Amendment</b> [1] - 17:10</p> <p><b>Americans</b> [1] - 36:9</p> <p><b>amount</b> [7] - 8:21, 20:10, 53:25, 92:4, 97:7, 99:14, 100:17</p> <p><b>analogy</b> [1] - 35:22</p> <p><b>analysis</b> [11] - 64:20, 65:4, 65:12, 65:13, 65:19, 67:9, 75:12, 75:22, 76:10, 76:13, 77:22</p> <p><b>announcements</b> [1] - 61:7</p> <p><b>answer</b> [16] - 6:16, 48:5, 48:16, 49:3, 54:8, 56:6, 73:11, 75:21, 80:24, 81:9, 81:23, 81:25, 94:17, 100:2, 102:4, 117:11</p> <p><b>answered</b> [7] - 49:5, 49:14, 53:4, 68:7, 89:19, 92:20, 94:25</p> <p><b>answering</b> [1] - 55:11</p> <p><b>anyway</b> [1] - 10:5</p> <p><b>apologize</b> [9] - 9:5, 12:17, 13:13, 46:23, 56:7, 65:2,</p>	<p>81:7, 103:17, 104:14</p> <p><b>appear</b> [2] - 6:24, 40:14</p> <p><b>APPEARANCES</b> [2] - 1:14, 2:1</p> <p><b>appeared</b> [4] - 18:12, 108:19, 108:25, 109:25</p> <p><b>appearing</b> [1] - 26:5</p> <p><b>application</b> [1] - 35:22</p> <p><b>applied</b> [1] - 69:11</p> <p><b>apply</b> [2] - 28:4, 45:17</p> <p><b>appointments</b> [1] - 58:15</p> <p><b>appreciate</b> [1] - 46:22</p> <p><b>appropriate</b> [6] - 21:10, 29:24, 33:11, 100:7, 100:22, 101:12</p> <p><b>approval</b> [2] - 101:18, 101:23</p> <p><b>approved</b> [1] - 103:25</p> <p><b>April</b> [10] - 25:4, 31:7, 31:20, 55:2, 109:25, 110:7, 111:11, 112:23</p> <p><b>area</b> [9] - 19:15, 55:17, 64:15, 89:4, 99:22, 107:2, 107:4, 109:1, 112:5</p> <p><b>areas</b> [8] - 18:24, 19:1, 21:14, 30:22, 59:9, 60:17, 64:3, 108:19</p> <p><b>argue</b> [2] - 102:17, 108:6</p> <p><b>arguing</b> [4] - 17:2, 19:6, 71:25, 88:3</p> <p><b>argument</b> [1] - 5:1</p> <p><b>argumentative</b> [4] - 75:25, 91:2, 92:19, 114:25</p> <p><b>arisen</b> [1] - 39:16</p> <p><b>arrive</b> [1] - 11:17</p> <p><b>article</b> [1] - 35:23</p> <p><b>articulated</b> [1] - 37:1</p> <p><b>AS</b> [2] - 3:5, 41:6</p> <p><b>aspects</b> [1] - 70:5</p> <p><b>assigned</b> [10] - 19:14, 19:15, 19:16, 19:17, 19:20, 66:5, 86:23, 87:7, 94:10, 103:13</p> <p><b>assignment</b> [1] - 64:16</p> <p><b>assignments</b> [1] - 87:4</p> <p><b>assist</b> [1] - 66:10</p> <p><b>assistance</b> [1] - 105:25</p> <p><b>assistant</b> [1] - 116:18</p> <p><b>assume</b> [2] - 26:17, 81:3</p> <p><b>assumed</b> [1] - 105:1</p> <p><b>assumes</b> [2] - 96:4, 111:3</p> <p><b>assure</b> [2] - 38:19, 72:20</p> <p><b>astounding</b> [1] - 16:19</p> <p><b>asymptomatic</b> [1] - 46:14</p> <p><b>attempt</b> [1] - 38:10</p> <p><b>attempted</b> [2] - 95:22, 119:22</p> <p><b>attempting</b> [1] - 36:2</p> <p><b>attention</b> [2] - 51:6, 97:18</p> <p><b>attesting</b> [1] - 5:13</p> <p><b>attests</b> [1] - 9:12</p>	<p><b>ATTORNEY</b> [1] - 2:13</p> <p><b>attorney</b> [2] - 7:14, 23:1</p> <p><b>Attorney</b> [2] - 22:11, 101:5</p> <p><b>attorney/client</b> [5] - 62:20, 62:23, 62:24, 63:7, 65:7</p> <p><b>attorneys</b> [29] - 52:7, 52:13, 52:24, 54:3, 54:20, 55:13, 56:2, 56:10, 56:24, 57:5, 57:15, 57:18, 57:23, 58:7, 58:9, 58:21, 59:2, 59:16, 60:14, 61:1, 61:11, 61:20, 62:3, 62:5, 62:15, 63:1, 63:4, 63:11, 116:16</p> <p><b>Austin</b> [2] - 2:6, 2:14</p> <p><b>authority</b> [2] - 62:12, 116:9</p> <p><b>authority's</b> [1] - 36:20</p> <p><b>authorized</b> [1] - 51:8</p> <p><b>availability</b> [2] - 85:17, 85:18</p> <p><b>available</b> [16] - 17:9, 33:15, 33:16, 49:19, 56:19, 57:3, 58:5, 63:24, 71:14, 79:9, 79:16, 79:22, 80:14, 88:15, 88:18, 88:20</p> <p><b>avoid</b> [1] - 14:19</p> <p><b>aware</b> [47] - 43:20, 45:6, 45:7, 50:4, 50:5, 56:9, 63:1, 65:12, 65:19, 66:10, 67:1, 67:12, 69:21, 69:24, 69:25, 70:8, 71:25, 72:1, 74:19, 77:2, 77:5, 77:7, 77:9, 77:14, 77:15, 77:18, 77:21, 78:3, 81:6, 81:10, 82:16, 82:22, 83:19, 84:18, 89:17, 89:23, 90:6, 93:14, 93:19, 93:23, 105:16, 105:20, 105:22, 106:4, 110:3, 110:9, 118:16</p> <p><b>awareness</b> [1] - 30:18</p>
<b>B</b>			
<p><b>B-14.52</b> [4] - 27:6, 27:21, 28:2, 28:4</p> <p><b>background</b> [1] - 15:17</p> <p><b>bad</b> [3] - 36:12, 97:12</p> <p><b>bars</b> [2] - 32:7, 35:7</p> <p><b>base</b> [1] - 75:2</p> <p><b>based</b> [22] - 6:23, 17:2, 17:11, 17:23, 30:15, 32:25, 33:3, 36:20, 48:25, 52:20, 55:17, 56:11, 60:6, 64:9, 66:8, 71:14, 71:21, 71:24, 72:9, 73:12, 73:16, 77:8</p> <p><b>basis</b> [6] - 16:7, 19:22, 30:16, 32:12, 50:13, 75:7</p> <p><b>bduke@winston.com</b> [1] - 1:23</p> <p><b>Beal</b> [1] - 18:13</p> <p><b>bear</b> [3] - 22:11, 22:20, 34:8</p> <p><b>became</b> [3] - 88:14, 116:3,</p>			

<p>116:4  <b>become</b> [1] - 24:25  <b>becomes</b> [1] - 12:7  <b>becoming</b> [1] - 71:14  <b>beds</b> [1] - 84:4  <b>BEFORE</b> [1] - 1:11  <b>began</b> [6] - 28:14, 30:12, 31:2, 31:3, 43:1, 87:10  <b>begin</b> [2] - 26:8, 51:6  <b>beginning</b> [4] - 6:7, 24:14, 28:20, 42:20  <b>behalf</b> [5] - 7:15, 23:1, 41:1, 54:2, 62:12  <b>behind</b> [2] - 45:12, 46:1  <b>BENCH</b> [1] - 1:12  <b>benefit</b> [3] - 9:6, 33:19, 36:3  <b>best</b> [10] - 25:11, 35:21, 47:5, 60:9, 72:25, 73:12, 73:13, 74:19, 92:8, 121:11  <b>better</b> [12] - 13:15, 21:16, 21:17, 23:23, 23:24, 24:3, 65:21, 73:18, 85:2, 101:6, 103:21, 114:22  <b>between</b> [8] - 26:4, 28:11, 30:15, 32:18, 59:7, 80:16, 89:10, 89:15  <b>beyond</b> [3] - 17:10, 74:18, 106:3  <b>big</b> [1] - 14:19  <b>bigger</b> [1] - 52:23  <b>bit</b> [1] - 64:16  <b>bleach</b> [2] - 18:25, 55:17  <b>bleach-based</b> [1] - 55:17  <b>blind</b> [2] - 19:25, 20:2  <b>blow</b> [1] - 108:14  <b>boils</b> [1] - 23:8  <b>bottle</b> [1] - 77:8  <b>bottles</b> [3] - 64:1, 64:7, 66:2  <b>bottom</b> [3] - 108:14, 109:5, 109:7  <b>bound</b> [4] - 20:3, 65:25, 76:6, 76:7  <b>Box</b> [1] - 2:13  <b>box</b> [2] - 15:21, 108:18  <b>boxes</b> [1] - 35:8  <b>Bramow</b> [1] - 2:11  <b>Branch</b> [1] - 92:3  <b>Brandon</b> [1] - 1:16  <b>break</b> [8] - 76:18, 78:13, 78:16, 81:15, 120:19, 121:1, 121:2  <b>breakdown</b> [1] - 81:13  <b>breaks</b> [1] - 19:19  <b>breath</b> [3] - 18:11, 18:16, 110:6  <b>breathing</b> [3] - 110:6, 112:14, 112:15  <b>briefing</b> [3] - 4:10, 4:14, 4:17  <b>briefings</b> [2] - 28:9, 28:14</p>	<p><b>briefly</b> [1] - 9:24  <b>briefs</b> [1] - 4:17  <b>bring</b> [3] - 66:17, 76:15, 97:18  <b>broken</b> [3] - 25:21, 80:16, 80:21  <b>brought</b> [3] - 10:3, 67:25, 72:11  <b>Bryan</b> [5] - 23:2, 28:12, 39:6, 40:13, 110:13  <b>BRYAN</b> [3] - 1:7, 3:4, 41:1  <b>build</b> [2] - 84:16, 89:4  <b>build-out</b> [1] - 89:4  <b>bulk</b> [1] - 76:24  <b>bunk</b> [1] - 109:11  <b>bunks</b> [3] - 20:11, 88:18, 105:8  <b>burden</b> [1] - 37:5  <b>busy</b> [2] - 43:21, 43:22  <b>buys</b> [1] - 76:24  <b>BY</b> [59] - 1:24, 3:5, 41:7, 45:3, 47:10, 48:9, 49:11, 53:1, 53:7, 54:4, 54:11, 55:14, 56:12, 57:7, 58:1, 58:11, 59:4, 60:15, 61:12, 62:4, 63:2, 63:12, 63:18, 65:15, 67:3, 68:2, 68:20, 74:3, 74:21, 76:4, 76:22, 78:22, 79:4, 81:1, 81:8, 81:12, 82:1, 86:19, 87:22, 89:7, 89:22, 91:6, 92:24, 93:21, 94:21, 96:10, 99:4, 99:13, 100:16, 101:8, 102:10, 108:3, 108:17, 110:5, 110:20, 111:10, 115:9, 117:18, 120:3</p>	<p>101:19  <b>case-by-case</b> [1] - 30:16  <b>cases</b> [5] - 6:25, 19:2, 25:22, 51:3, 95:7  <b>categories</b> [1] - 9:20  <b>category</b> [1] - 118:11  <b>cautions</b> [1] - 16:1  <b>CDC</b> [17] - 16:3, 17:24, 27:11, 27:23, 27:25, 29:16, 33:15, 52:20, 55:10, 55:17, 59:24, 61:23, 63:22, 74:18, 80:6, 105:12  <b>CDC-recommended</b> [2] - 16:3, 55:17  <b>cell</b> [1] - 4:13  <b>center</b> [6] - 28:25, 29:2, 29:6, 29:11, 29:12, 92:2  <b>certain</b> [6] - 17:8, 25:20, 44:6, 70:10, 70:13, 79:17  <b>certainly</b> [8] - 5:18, 57:23, 72:19, 82:13, 94:16, 100:20, 101:11, 112:11  <b>certify</b> [1] - 121:9  <b>chain</b> [2] - 94:16, 95:10  <b>chair</b> [1] - 72:6  <b>change</b> [21] - 34:13, 38:10, 38:14, 52:22, 55:11, 73:10, 82:24, 95:25, 101:16, 101:17, 101:20, 101:22, 102:11, 102:12, 102:14, 102:21, 102:22, 103:5, 105:8, 118:15, 120:5  <b>changed</b> [3] - 17:4, 45:8, 93:10  <b>changes</b> [3] - 52:19, 70:18, 82:14  <b>changing</b> [1] - 6:14  <b>chart</b> [1] - 11:9  <b>chose</b> [3] - 64:5, 80:6, 92:16  <b>chow</b> [1] - 31:12  <b>Christin</b> [4] - 2:10, 8:14, 39:25, 44:22  <b>christin.vasquez@oag.texas.gov</b> [1] - 2:16  <b>Circuit</b> [4] - 23:13, 24:19, 37:2, 62:6  <b>circumstance</b> [1] - 97:21  <b>Civil</b> [1] - 1:6  <b>civil</b> [1] - 13:6  <b>claim</b> [1] - 81:18  <b>clarification</b> [1] - 101:6  <b>clarified</b> [1] - 101:15  <b>clarify</b> [3] - 9:25, 40:4, 100:8  <b>class</b> [4] - 4:7, 16:21, 53:10  <b>classrooms</b> [1] - 59:10  <b>clean</b> [4] - 19:14, 53:11, 55:20, 80:8  <b>cleaning</b> [20] - 15:18, 18:21, 19:1, 19:3, 19:5, 19:7, 19:13, 19:21, 20:3, 20:10,</p>	<p>20:12, 21:9, 28:8, 32:13, 35:8, 55:16, 55:17, 55:19, 55:22  <b>clear</b> [6] - 10:10, 10:18, 46:24, 65:3, 66:19, 103:16  <b>clearly</b> [3] - 13:22, 16:25, 118:19  <b>Clerkly</b> [18] - 25:1, 25:4, 25:6, 31:6, 70:22, 70:25, 108:9, 109:8, 109:10, 110:6, 110:21, 111:13, 111:16, 111:23, 113:20, 114:12, 114:17, 115:4  <b>clerkly</b> [1] - 25:1  <b>Clerkly's</b> [6] - 15:23, 31:25, 32:2, 32:3, 110:14, 114:23  <b>clients</b> [2] - 80:17, 81:2  <b>clinic</b> [1] - 69:25  <b>close</b> [4] - 29:22, 34:20, 34:23, 66:7  <b>closed</b> [1] - 30:3  <b>closely</b> [1] - 15:15  <b>closer</b> [1] - 23:18  <b>cloth</b> [2] - 31:3, 54:14  <b>CMHC</b> [2] - 74:22, 83:15  <b>CMHC's</b> [1] - 27:21  <b>Cobe</b> [1] - 2:10  <b>code</b> [4] - 45:11, 93:6, 96:24, 102:3  <b>coded</b> [2] - 96:23, 118:19  <b>colleague</b> [1] - 34:15  <b>Collier</b> [45] - 23:2, 28:12, 40:13, 40:17, 40:20, 41:3, 41:8, 43:21, 45:4, 45:20, 51:25, 53:8, 54:12, 55:15, 56:1, 56:18, 57:8, 58:12, 59:5, 59:19, 60:16, 61:13, 62:5, 63:3, 63:19, 68:22, 74:4, 75:6, 76:23, 78:23, 81:2, 82:2, 83:8, 86:20, 88:23, 93:2, 110:13, 115:16, 116:12, 117:5, 117:19, 119:23, 120:4, 120:16, 120:21  <b>COLLIER</b> [3] - 1:7, 3:4, 41:1  <b>Collier's</b> [3] - 52:6, 54:19, 57:15  <b>combination</b> [1] - 27:9  <b>comfortable</b> [1] - 21:8  <b>coming</b> [4] - 28:23, 30:2, 31:21, 71:22  <b>command</b> [7] - 28:25, 29:2, 29:6, 29:11, 29:12, 94:16, 95:10  <b>commit</b> [7] - 51:25, 52:10, 53:2, 53:16, 54:7, 63:3, 63:10  <b>committed</b> [2] - 51:15, 51:23  <b>Committee</b> [1] - 74:12  <b>committee</b> [4] - 27:18, 72:7,</p>
<b>C</b>			
<p><b>camp</b> [1] - 19:16  <b>cannot</b> [1] - 20:1  <b>capable</b> [1] - 16:23  <b>capacity</b> [4] - 47:4, 87:24, 88:6  <b>Capitol</b> [1] - 1:20  <b>card</b> [1] - 30:21  <b>care</b> [4] - 4:4, 92:8, 92:14, 92:15  <b>career</b> [1] - 92:4  <b>carrier</b> [1] - 46:15  <b>carry</b> [2] - 70:2, 72:10  <b>carve</b> [1] - 97:21  <b>carve-out</b> [1] - 97:21  <b>case</b> [29] - 6:5, 6:8, 23:4, 23:8, 23:9, 24:23, 24:25, 25:22, 25:24, 25:25, 26:1, 26:6, 27:7, 30:16, 32:16, 33:24, 35:18, 36:5, 37:2, 71:11, 80:21, 85:21, 86:24, 91:13, 91:25, 92:17,</p>			

<p>74:13, 74:25  <b>common</b> [7] - 14:25, 16:3, 18:24, 19:15, 39:17, 59:9, 60:17  <b>communicating</b> [1] - 8:24  <b>communication</b> [1] - 29:22  <b>communications</b> [4] - 62:21, 62:23, 62:24, 65:8  <b>comorbidities</b> [1] - 15:2  <b>compared</b> [2] - 21:14, 64:12  <b>comparison</b> [1] - 16:10  <b>compassion</b> [1] - 21:21  <b>compel</b> [1] - 5:9  <b>complaining</b> [1] - 5:23  <b>complaint</b> [2] - 10:14, 38:17  <b>complaints</b> [2] - 46:1, 97:16  <b>complete</b> [2] - 58:3, 88:12  <b>completed</b> [6] - 48:24, 50:5, 51:19, 71:17, 88:11, 113:4  <b>completely</b> [1] - 97:20  <b>completing</b> [2] - 48:23, 49:17  <b>completion</b> [1] - 49:18  <b>compliant</b> [1] - 85:8  <b>complications</b> [1] - 42:25  <b>comply</b> [1] - 20:14  <b>complying</b> [1] - 33:15  <b>compound</b> [1] - 81:19  <b>comprehensive</b> [2] - 8:16, 9:16  <b>computer</b> [2] - 34:11, 34:16  <b>COMPUTER</b> [1] - 1:25  <b>COMPUTER-AIDED</b> [1] - 1:25  <b>computers</b> [1] - 23:20  <b>concern</b> [1] - 27:14  <b>concerned</b> [1] - 13:10  <b>concerning</b> [1] - 9:13  <b>concerns</b> [2] - 32:19, 80:5  <b>conclusion</b> [15] - 52:6, 52:9, 53:15, 54:19, 54:22, 56:1, 56:23, 57:14, 58:6, 58:20, 59:15, 60:25, 61:19, 67:17, 98:1  <b>condition</b> [1] - 42:24  <b>conditioning</b> [3] - 60:5, 60:6, 82:3  <b>conditions</b> [3] - 17:12, 42:22, 62:18  <b>conduct</b> [2] - 75:15, 117:25  <b>conducted</b> [1] - 83:12  <b>conducting</b> [1] - 105:3  <b>confer</b> [2] - 52:12, 57:18  <b>conference</b> [9] - 25:8, 28:19, 38:3, 38:8, 38:21, 52:7, 62:15, 116:21, 121:13  <b>conferences</b> [1] - 21:13  <b>confidence</b> [3] - 92:1, 92:5, 113:25</p>	<p><b>confident</b> [1] - 25:15  <b>confidential</b> [1] - 87:16  <b>confirmed</b> [2] - 19:1, 106:19  <b>confirming</b> [1] - 72:15  <b>confused</b> [1] - 106:17  <b>congregate</b> [1] - 59:8  <b>connections</b> [1] - 85:10  <b>conscience</b> [1] - 24:22  <b>consider</b> [5] - 74:4, 74:23, 92:7, 92:9, 92:16  <b>considered</b> [4] - 33:17, 36:19, 63:25, 82:11  <b>consistent</b> [4] - 19:22, 95:21, 119:25, 120:6  <b>constitutional</b> [2] - 22:3, 46:1  <b>construction</b> [4] - 84:11, 84:12, 84:15, 88:12  <b>consult</b> [3] - 56:1, 81:15, 81:24  <b>consultation</b> [9] - 53:15, 54:19, 56:24, 57:15, 58:7, 58:21, 59:16, 61:1, 61:20  <b>consulted</b> [1] - 71:18  <b>contact</b> [47] - 31:21, 61:15, 61:23, 61:24, 105:15, 105:17, 105:24, 105:25, 106:6, 106:8, 106:22, 107:1, 107:9, 107:10, 107:12, 107:13, 108:4, 108:8, 109:6, 109:8, 111:5, 111:22, 111:24, 112:2, 112:3, 112:4, 112:6, 112:21, 113:2, 113:4, 113:7, 113:9, 113:15, 113:17, 113:21, 114:1, 114:3, 114:9, 114:11, 114:14, 114:23, 115:4, 115:12, 117:20, 117:22, 117:25  <b>contacted</b> [1] - 61:16  <b>contagious</b> [1] - 14:18  <b>contain</b> [2] - 22:5, 38:6  <b>contaminating</b> [1] - 20:7  <b>context</b> [2] - 24:24, 38:20  <b>continue</b> [14] - 34:6, 38:14, 49:19, 50:12, 51:2, 52:19, 53:12, 54:16, 71:23, 73:8, 81:3, 82:13, 91:23, 116:1  <b>continued</b> [13] - 2:2, 29:22, 29:23, 46:19, 53:19, 54:25, 60:11, 64:25, 72:14, 98:7, 109:6, 115:23, 115:24  <b>continues</b> [1] - 61:3  <b>control</b> [9] - 21:24, 27:18, 35:1, 46:8, 47:1, 47:11, 47:16, 47:20, 48:12  <b>conversation</b> [4] - 38:1, 89:24, 90:2, 90:12  <b>cool</b> [3] - 82:4, 82:17, 83:1</p>	<p><b>Corinne</b> [1] - 1:17  <b>Coronavirus</b> [1] - 27:19  <b>correct</b> [140] - 11:19, 38:24, 41:11, 41:14, 41:19, 41:20, 41:21, 41:24, 42:2, 42:5, 42:8, 43:8, 43:10, 43:21, 43:24, 44:11, 45:10, 45:15, 45:18, 45:21, 46:3, 47:12, 47:16, 48:14, 48:21, 49:14, 49:25, 50:4, 50:15, 50:19, 51:9, 51:10, 51:11, 51:23, 51:24, 54:6, 62:10, 63:13, 63:21, 64:8, 64:22, 67:6, 67:7, 67:11, 67:15, 68:18, 69:2, 69:6, 69:12, 69:13, 69:16, 69:20, 69:23, 71:8, 71:11, 73:24, 74:6, 75:10, 75:14, 76:25, 77:1, 77:3, 77:5, 77:16, 77:20, 77:24, 79:7, 79:13, 80:3, 80:11, 80:17, 80:18, 82:18, 83:16, 83:18, 84:5, 84:9, 84:17, 85:6, 85:16, 88:18, 88:20, 89:10, 89:16, 89:18, 90:5, 90:22, 91:1, 91:9, 91:13, 91:18, 91:25, 93:1, 93:3, 93:12, 94:1, 94:13, 95:12, 95:19, 96:3, 96:11, 96:12, 96:17, 97:4, 97:10, 98:12, 99:7, 101:18, 101:24, 102:14, 103:19, 104:3, 104:12, 104:17, 105:17, 106:11, 108:9, 108:20, 109:9, 109:25, 111:1, 111:11, 111:24, 112:3, 112:16, 112:19, 112:23, 113:2, 113:18, 113:22, 114:7, 114:20, 115:14, 115:18, 116:14, 116:18, 116:24, 117:2, 118:1, 121:9  <b>Correctional</b> [1] - 74:12  <b>correctional</b> [20] - 27:8, 27:11, 27:24, 29:13, 29:17, 33:7, 33:8, 41:17, 42:7, 42:13, 52:21, 61:14, 69:17, 74:25, 83:12, 91:21, 92:8, 92:10, 105:21  <b>correctly</b> [2] - 10:3, 114:11  <b>cotton</b> [2] - 55:4, 55:5  <b>cough</b> [1] - 18:10  <b>coughing</b> [1] - 18:16  <b>counsel</b> [22] - 9:17, 9:25, 35:13, 37:25, 38:1, 38:2, 38:12, 44:2, 62:17, 67:4, 68:24, 78:23, 80:15, 81:24, 83:23, 84:2, 90:19, 94:6, 98:17, 116:24, 117:2  <b>counsel's</b> [1] - 10:10  <b>countries</b> [1] - 25:11</p>	<p><b>country</b> [4] - 14:18, 30:7, 74:20, 74:23  <b>county</b> [1] - 92:12  <b>couple</b> [3] - 12:16, 37:12, 72:4  <b>course</b> [7] - 7:24, 32:16, 39:12, 71:4, 72:23, 116:6  <b>court</b> [5] - 24:7, 24:8, 52:9, 68:14, 78:17  <b>Court</b> [42] - 7:16, 7:20, 7:22, 9:6, 10:12, 10:13, 13:6, 13:16, 14:16, 16:2, 19:12, 19:23, 21:15, 22:2, 22:25, 25:20, 26:4, 26:10, 27:6, 27:13, 29:8, 33:12, 33:22, 35:17, 37:2, 37:5, 38:19, 38:23, 52:25, 54:2, 55:12, 56:11, 57:6, 59:1, 60:13, 62:1, 62:5, 63:10, 78:18, 80:16, 81:20, 121:4  <b>COURT</b> [148] - 1:1, 2:18, 4:3, 4:10, 4:12, 4:14, 5:5, 6:19, 7:1, 7:5, 7:10, 7:12, 7:18, 8:6, 8:10, 8:13, 8:24, 10:6, 11:1, 11:14, 11:20, 12:5, 12:11, 12:14, 12:19, 12:23, 13:2, 13:8, 13:17, 13:19, 14:1, 14:5, 14:7, 14:13, 14:14, 17:21, 22:8, 22:13, 22:17, 22:23, 23:15, 23:18, 23:22, 24:1, 24:3, 24:11, 34:10, 34:14, 34:17, 37:8, 37:20, 37:24, 38:25, 39:5, 39:9, 39:12, 39:16, 39:23, 40:2, 40:7, 40:14, 40:17, 40:22, 41:3, 44:15, 44:19, 44:21, 44:24, 47:3, 52:4, 52:11, 53:4, 53:16, 54:7, 54:21, 56:3, 56:5, 56:8, 56:25, 57:16, 58:8, 58:22, 59:18, 61:2, 61:21, 62:22, 63:8, 63:16, 65:9, 66:25, 68:10, 74:1, 74:9, 76:1, 76:17, 76:21, 78:15, 78:19, 78:21, 80:23, 81:10, 81:23, 85:24, 86:2, 86:5, 86:7, 86:9, 86:15, 86:17, 87:14, 87:15, 87:18, 87:21, 88:24, 89:20, 91:3, 92:21, 93:18, 96:5, 98:21, 98:25, 99:10, 101:3, 104:19, 107:19, 108:2, 110:2, 110:12, 110:15, 110:19, 111:4, 115:1, 115:21, 117:8, 117:13, 118:25, 119:2, 119:5, 119:7, 119:9, 119:11, 119:20, 120:1, 120:10, 120:12, 120:15, 120:18, 121:2  <b>Court's</b> [2] - 13:4, 16:6</p>
---	---	---	---



<p><b>COVID</b> [16] - 18:21, 18:23, 32:14, 45:13, 85:20, 96:18, 96:22, 96:23, 98:4, 98:5, 99:22, 99:23, 99:25, 110:4, 115:22, 118:10</p> <p><b>COVID-19</b> [120] - 6:17, 8:2, 8:23, 11:11, 14:17, 15:10, 15:22, 16:9, 16:11, 16:24, 17:14, 18:6, 19:2, 20:4, 20:20, 21:5, 21:15, 23:4, 23:5, 23:10, 24:24, 25:3, 25:5, 25:10, 25:14, 25:18, 26:13, 26:22, 27:1, 27:12, 27:19, 28:7, 28:14, 28:18, 29:1, 29:24, 30:5, 30:12, 30:17, 30:23, 32:5, 34:1, 34:6, 35:1, 36:8, 38:15, 42:20, 42:22, 42:25, 43:2, 43:13, 43:19, 44:11, 45:5, 45:6, 45:9, 45:12, 46:7, 46:8, 46:9, 46:10, 46:13, 46:14, 46:21, 46:25, 47:8, 47:16, 47:20, 47:25, 48:13, 50:15, 53:21, 54:17, 55:7, 56:22, 58:4, 59:14, 60:18, 60:19, 60:23, 61:15, 63:23, 64:24, 66:14, 69:18, 70:6, 72:21, 73:8, 73:17, 73:24, 74:5, 78:6, 83:15, 89:25, 90:21, 91:23, 93:2, 93:6, 93:15, 97:8, 97:10, 97:15, 97:25, 98:16, 98:17, 99:3, 99:16, 100:11, 100:18, 102:2, 102:3, 103:11, 106:8, 109:5, 113:14, 114:23, 116:13, 116:19, 118:14, 120:5</p> <p><b>COVID-19-related</b> [4] - 97:3, 97:22, 99:15, 118:9</p> <p><b>COVID-19-type</b> [3] - 100:7, 100:22, 101:12</p> <p><b>COVID-related</b> [7] - 45:13, 96:18, 96:23, 98:4, 98:5, 99:22, 110:4</p> <p><b>COVID-specific</b> [1] - 96:22</p> <p><b>Cowles</b> [16] - 2:10, 7:14, 12:18, 12:21, 16:17, 22:10, 23:1, 23:15, 23:16, 37:13, 39:24, 48:10, 69:4, 69:7, 69:10, 80:15</p> <p><b>COWLES</b> [25] - 7:11, 7:13, 7:19, 12:16, 12:22, 12:24, 13:3, 13:12, 13:18, 22:10, 22:14, 22:19, 22:24, 23:19, 23:23, 24:4, 24:14, 34:11, 34:15, 34:19, 37:22, 37:25, 39:10, 39:13, 52:8</p> <p><b>CPAP</b> [2] - 85:9, 88:19</p> <p><b>crashed</b> [1] - 34:12</p> <p><b>create</b> [2] - 6:13, 27:18</p>	<p><b>created</b> [6] - 9:23, 11:9, 45:11, 55:5, 93:6, 97:17</p> <p><b>creating</b> [1] - 85:8</p> <p><b>Criminal</b> [2] - 23:3, 41:11</p> <p><b>CRIMINAL</b> [1] - 1:8</p> <p><b>critical</b> [2] - 20:1, 58:25</p> <p><b>CROSS</b> [2] - 3:5, 41:6</p> <p><b>cross</b> [1] - 20:7</p> <p><b>cross-contaminating</b> [1] - 20:7</p> <p><b>CROSS-EXAMINATION</b> [2] - 3:5, 41:6</p> <p><b>crowds</b> [1] - 14:19</p> <p><b>CRR</b> [2] - 2:19, 121:16</p> <p><b>CSR</b> [2] - 2:19, 121:16</p> <p><b>cubicle</b> [1] - 55:21</p> <p><b>cubicles</b> [2] - 31:21, 85:7</p> <p><b>current</b> [3] - 6:19, 50:14, 50:20</p> <p><b>CURTIS</b> [1] - 1:4</p> <p><b>custody</b> [1] - 58:15</p> <p><b>cut</b> [1] - 17:4</p> <p><b>cycle</b> [1] - 51:3</p>	<p><b>dealt</b> [2] - 97:14, 103:11</p> <p><b>death</b> [3] - 15:23, 21:23, 114:24</p> <p><b>deaths</b> [5] - 8:5, 21:3, 21:4, 21:21, 35:13</p> <p><b>decide</b> [1] - 4:23</p> <p><b>decided</b> [2] - 6:12, 27:18</p> <p><b>decision</b> [1] - 33:13</p> <p><b>declaration</b> [9] - 5:12, 5:23, 6:13, 9:10, 10:17, 10:18, 10:21, 11:2, 15:12</p> <p><b>declarations</b> [5] - 90:24, 91:8, 91:12, 91:17, 92:25</p> <p><b>dedensification</b> [1] - 21:11</p> <p><b>Defendant</b> [1] - 41:1</p> <p><b>DEFENDANTS</b> [1] - 2:9</p> <p><b>Defendants</b> [15] - 1:9, 5:16, 5:20, 6:4, 7:15, 9:8, 16:2, 16:21, 17:25, 21:13, 23:2, 35:17, 40:4, 90:20, 107:24</p> <p><b>Defendants'</b> [2] - 5:19, 32:20</p> <p><b>defined</b> [1] - 18:8</p> <p><b>definite</b> [1] - 49:6</p> <p><b>definitely</b> [2] - 24:1, 103:1</p> <p><b>degree</b> [4] - 25:21, 84:21, 85:9, 92:1</p> <p><b>degrees</b> [1] - 30:11</p> <p><b>delay</b> [2] - 12:5, 115:25</p> <p><b>Deliberate</b> [1] - 24:20</p> <p><b>deliberate</b> [17] - 17:17, 17:19, 20:2, 20:15, 20:17, 20:18, 23:9, 23:11, 24:16, 24:23, 25:18, 33:18, 33:24, 35:19, 36:15, 36:19, 37:3</p> <p><b>deliberately</b> [6] - 26:24, 27:10, 27:16, 29:19, 31:3, 33:25</p> <p><b>delivered</b> [1] - 29:17</p> <p><b>demonstrate</b> [1] - 35:14</p> <p><b>denied</b> [1] - 13:6</p> <p><b>Denise</b> [1] - 1:17</p> <p><b>deny</b> [3] - 13:8, 13:16, 53:17</p> <p><b>Department</b> [2] - 41:10, 106:1</p> <p><b>department</b> [7] - 23:3, 28:10, 66:9, 66:12, 67:9, 110:22, 112:19</p> <p><b>DEPARTMENT</b> [1] - 1:8</p> <p><b>deposed</b> [6] - 48:3, 48:19, 48:22, 49:4, 50:1, 117:1</p> <p><b>deposition</b> [28] - 40:15, 45:20, 48:7, 48:17, 48:22, 49:6, 49:9, 91:16, 94:17, 94:19, 100:3, 100:8, 100:13, 101:5, 102:5, 102:9, 106:6, 106:16, 106:20, 118:22, 119:15, 119:18, 119:21, 119:23, 119:24, 120:7</p> <p><b>depositions</b> [2] - 91:5, 92:23</p>	<p><b>deputy</b> [1] - 9:11</p> <p><b>described</b> [2] - 66:4, 69:11</p> <p><b>describing</b> [1] - 9:19</p> <p><b>design</b> [1] - 60:10</p> <p><b>desperately</b> [1] - 22:4</p> <p><b>despite</b> [3] - 25:11, 25:12, 25:13</p> <p><b>detail</b> [1] - 83:20</p> <p><b>details</b> [3] - 51:14, 84:18, 113:11</p> <p><b>detention</b> [3] - 27:11, 27:24, 27:25</p> <p><b>determination</b> [2] - 33:18, 73:12</p> <p><b>determine</b> [8] - 29:9, 35:17, 51:13, 51:21, 61:15, 68:1, 103:8, 103:17</p> <p><b>determining</b> [1] - 74:4</p> <p><b>develop</b> [7] - 49:20, 59:24, 72:14, 74:15, 83:4, 103:14, 104:20</p> <p><b>developed</b> [5] - 50:7, 52:16, 82:20, 103:11, 104:2</p> <p><b>developing</b> [1] - 103:23</p> <p><b>develops</b> [1] - 73:17</p> <p><b>dialed</b> [1] - 36:10</p> <p><b>dictate</b> [1] - 95:18</p> <p><b>dictates</b> [1] - 95:16</p> <p><b>die</b> [2] - 98:11, 99:7</p> <p><b>died</b> [11] - 6:21, 6:23, 21:19, 21:25, 33:7, 36:5, 36:7, 36:11, 113:14, 113:21, 114:17</p> <p><b>difference</b> [1] - 32:18</p> <p><b>different</b> [11] - 6:2, 36:25, 43:17, 68:8, 73:18, 94:2, 94:10, 97:1, 100:4, 101:9, 106:25</p> <p><b>differently</b> [7] - 48:5, 49:3, 55:10, 70:7, 94:17, 100:2, 102:4</p> <p><b>difficult</b> [4] - 9:19, 37:17, 59:22, 70:23</p> <p><b>difficulties</b> [1] - 110:7</p> <p><b>DIRECT</b> [1] - 117:17</p> <p><b>direct</b> [5] - 52:20, 91:7, 91:11, 91:14, 91:15</p> <p><b>direction</b> [2] - 91:16, 92:6</p> <p><b>directly</b> [1] - 42:10</p> <p><b>Director</b> [1] - 120:16</p> <p><b>director</b> [9] - 9:11, 28:12, 41:10, 41:13, 42:8, 47:4, 62:11, 82:21, 92:11</p> <p><b>directors</b> [2] - 27:8, 77:25</p> <p><b>dirt</b> [1] - 76:9</p> <p><b>disabilities</b> [1] - 59:11</p> <p><b>disagree</b> [1] - 95:5</p> <p><b>disagreement</b> [1] - 32:20</p> <p><b>disagrees</b> [2] - 33:12, 33:23</p> <p><b>disaster</b> [2] - 21:14, 29:20</p>
<b>D</b>			
<p><b>daily</b> [10] - 28:9, 28:14, 28:19, 32:12, 54:23, 55:5, 112:14, 112:15, 116:12, 116:17</p> <p><b>Date</b> [1] - 121:16</p> <p><b>date</b> [6] - 31:20, 108:25, 111:11, 111:13, 118:2, 118:3</p> <p><b>David</b> [3] - 2:4, 5:4, 5:6</p> <p><b>Davis</b> [11] - 42:8, 42:12, 42:16, 50:2, 72:9, 83:15, 89:8, 89:23, 90:4, 90:14, 105:4</p> <p><b>DAY</b> [1] - 1:12</p> <p><b>day-to-day</b> [1] - 42:12</p> <p><b>days</b> [44] - 4:18, 17:5, 18:7, 18:11, 25:5, 27:22, 28:1, 35:25, 36:5, 51:2, 51:4, 51:5, 51:7, 57:12, 58:5, 93:8, 93:11, 96:2, 96:7, 96:8, 96:9, 96:11, 96:16, 96:18, 96:23, 97:3, 97:5, 97:6, 97:23, 106:10, 106:13, 106:14, 106:18, 108:18, 108:25, 109:2, 109:16, 111:14, 112:4, 112:23, 113:21</p> <p><b>dead</b> [5] - 7:7, 16:20, 16:25, 21:2</p> <p><b>dead-end</b> [1] - 16:25</p> <p><b>deadlines</b> [1] - 118:13</p> <p><b>deal</b> [4] - 42:20, 43:2, 82:14, 97:24</p> <p><b>dealing</b> [1] - 38:16</p>			

<p><b>disasters</b> [1] - 29:4</p> <p><b>disconnect</b> [1] - 16:16</p> <p><b>discrete</b> [1] - 16:18</p> <p><b>discretion</b> [1] - 82:8</p> <p><b>discuss</b> [4] - 32:16, 37:12, 63:5, 84:10</p> <p><b>discussed</b> [15] - 52:15, 62:7, 62:18, 62:19, 64:5, 72:9, 78:9, 80:5, 81:16, 81:18, 84:7, 84:11, 87:8, 88:7, 106:6</p> <p><b>discusses</b> [1] - 80:5</p> <p><b>discussing</b> [1] - 63:3</p> <p><b>discussion</b> [11] - 67:2, 68:19, 78:7, 83:7, 90:17, 105:13, 107:13, 112:5, 112:11, 114:8, 116:10</p> <p><b>discussions</b> [14] - 43:14, 43:15, 62:17, 65:12, 65:16, 65:17, 65:19, 77:25, 78:5, 90:7, 105:4, 105:11, 111:19, 115:16</p> <p><b>disease</b> [2] - 21:23, 47:1</p> <p><b>diseases</b> [1] - 14:18</p> <p><b>disinfect</b> [2] - 18:24, 55:20</p> <p><b>disinfectants</b> [2] - 21:9, 55:18</p> <p><b>disinfecting</b> [2] - 19:1, 28:8</p> <p><b>disinfection</b> [1] - 32:13</p> <p><b>display</b> [3] - 14:3, 46:14, 46:21</p> <p><b>disproportionately</b> [1] - 14:22</p> <p><b>dispute</b> [5] - 6:2, 17:14, 25:14, 25:16, 45:24</p> <p><b>disputes</b> [1] - 46:3</p> <p><b>disregarding</b> [1] - 24:17</p> <p><b>disseminated</b> [1] - 30:21</p> <p><b>distance</b> [5] - 14:19, 59:7, 66:6, 89:15, 115:17</p> <p><b>distance-wise</b> [1] - 66:6</p> <p><b>distancing</b> [32] - 21:10, 31:11, 31:15, 32:15, 58:17, 59:6, 59:11, 59:17, 59:22, 82:4, 82:9, 82:18, 82:20, 82:23, 83:2, 83:4, 83:9, 83:11, 85:19, 90:16, 103:9, 103:12, 103:18, 103:24, 104:11, 104:16, 104:21, 104:23, 105:3, 105:10, 115:18</p> <p><b>DISTRICT</b> [2] - 1:1, 1:2</p> <p><b>division</b> [9] - 27:2, 27:3, 29:13, 42:8, 42:13, 83:13, 94:3, 94:4, 105:22</p> <p><b>Division</b> [1] - 106:1</p> <p><b>DIVISION</b> [1] - 1:3</p> <p><b>doctors</b> [1] - 91:12</p> <p><b>document</b> [23] - 5:13, 5:17, 9:6, 9:17, 9:22, 9:23, 9:24,</p>	<p>10:11, 10:24, 11:3, 11:9, 11:13, 11:15, 22:19, 86:15, 86:25, 87:1, 87:5, 88:4, 107:23, 107:25, 113:3, 114:5</p> <p><b>documentation</b> [5] - 112:17, 112:18, 112:21, 112:24, 114:15</p> <p><b>documented</b> [6] - 109:21, 112:25, 113:1, 113:23, 114:15, 115:15</p> <p><b>documents</b> [18] - 5:10, 5:18, 5:21, 6:1, 6:3, 6:23, 8:6, 9:20, 9:23, 16:17, 38:5, 38:6, 51:13, 51:20, 51:21, 51:22, 85:21</p> <p><b>done</b> [40] - 19:12, 20:6, 27:15, 35:5, 46:16, 47:22, 51:17, 51:18, 53:24, 55:6, 60:1, 65:3, 65:20, 69:1, 69:5, 70:11, 70:13, 74:23, 75:12, 75:21, 77:22, 84:11, 84:19, 88:17, 89:2, 99:25, 101:23, 102:13, 103:15, 108:8, 111:14, 113:4, 113:10, 114:11, 114:14, 114:22, 115:13, 117:20</p> <p><b>dorm</b> [29] - 18:15, 19:16, 31:24, 32:2, 32:3, 70:21, 70:25, 84:7, 85:17, 88:5, 88:6, 88:8, 88:11, 88:13, 89:9, 89:11, 89:15, 90:16, 109:10, 109:12, 111:16, 111:17, 111:23, 112:10, 112:22, 113:25, 114:16, 115:12, 115:13</p> <p><b>dorm-mates</b> [1] - 32:3</p> <p><b>dormitories</b> [2] - 31:20, 84:25</p> <p><b>dormitory</b> [6] - 84:10, 84:19, 84:22, 84:23, 90:7, 90:9</p> <p><b>dorms</b> [12] - 15:8, 20:7, 21:11, 85:5, 85:12, 86:14, 87:7, 87:9, 87:23, 87:24, 90:1, 105:7</p> <p><b>Dorms</b> [1] - 86:23</p> <p><b>doubt</b> [1] - 80:12</p> <p><b>Dove</b> [1] - 19:24</p> <p><b>down</b> [18] - 17:5, 23:8, 25:21, 34:7, 35:3, 35:10, 35:19, 63:6, 69:7, 80:16, 80:21, 82:4, 82:7, 82:17, 83:1, 105:1, 108:24, 120:15</p> <p><b>Dr</b> [17] - 15:21, 15:25, 27:2, 27:9, 28:12, 52:17, 71:22, 72:5, 72:6, 72:13, 73:15, 83:15, 91:7, 91:21, 92:7, 92:11</p> <p><b>drank</b> [1] - 77:3</p> <p><b>drawing</b> [1] - 88:2</p>	<p><b>drinking</b> [1] - 33:7</p> <p><b>DSHS</b> [1] - 28:10</p> <p><b>due</b> [1] - 4:18</p> <p><b>Duke</b> [1] - 1:16</p> <p><b>Duncan</b> [1] - 51:19</p> <p><b>duration</b> [2] - 12:9, 57:10</p> <p><b>during</b> [18] - 5:20, 14:10, 18:21, 18:23, 20:3, 33:6, 43:7, 55:22, 57:19, 61:16, 83:5, 93:2, 106:10, 109:16, 112:9, 115:22, 116:6, 116:15</p> <p><b>duties</b> [1] - 19:20</p> <p><b>duty</b> [1] - 13:10</p> <p><b>DYE</b> [1] - 2:19</p> <p><b>Dye</b> [2] - 121:15, 121:16</p>	<p><b>encompasses</b> [1] - 24:20</p> <p><b>encourage</b> [1] - 79:7</p> <p><b>encouraged</b> [1] - 53:19</p> <p><b>encourages</b> [1] - 95:21</p> <p><b>end</b> [8] - 16:25, 37:16, 45:15, 45:18, 54:16, 56:21, 95:25, 101:4</p> <p><b>ends</b> [1] - 81:4</p> <p><b>enforce</b> [8] - 4:25, 31:19, 59:6, 103:9, 103:18, 104:11, 104:16, 104:22</p> <p><b>enforced</b> [2] - 31:11, 31:16</p> <p><b>enforcing</b> [2] - 39:9, 39:15</p> <p><b>engaged</b> [2] - 28:9, 38:13</p> <p><b>enhance</b> [1] - 60:12</p> <p><b>enhanced</b> [2] - 19:7, 32:13</p> <p><b>enraged</b> [1] - 13:21</p> <p><b>enrolled</b> [1] - 115:24</p> <p><b>ensure</b> [5] - 19:21, 51:5, 60:8, 93:25, 94:23</p> <p><b>entering</b> [4] - 32:10, 57:10, 57:11, 58:4</p> <p><b>entire</b> [9] - 11:18, 21:3, 43:23, 50:14, 53:25, 72:21, 77:12, 99:21, 101:20</p> <p><b>entirely</b> [2] - 21:24, 38:13</p> <p><b>entities</b> [1] - 74:15</p> <p><b>entitled</b> [1] - 121:10</p> <p><b>entity</b> [2] - 94:10, 116:11</p> <p><b>environment</b> [1] - 85:2</p> <p><b>epidemic</b> [1] - 55:7</p> <p><b>equates</b> [1] - 113:24</p> <p><b>equipment</b> [2] - 31:1, 114:4</p> <p><b>especially</b> [1] - 15:2</p> <p><b>essential</b> [1] - 85:18</p> <p><b>essentially</b> [9] - 19:25, 33:21, 50:7, 74:13, 84:20, 85:1, 85:18, 106:1, 116:3</p> <p><b>establish</b> [3] - 17:10, 36:12, 37:4</p> <p><b>evacuate</b> [1] - 90:10</p> <p><b>evaluate</b> [1] - 82:13</p> <p><b>evening</b> [1] - 31:8</p> <p><b>event</b> [7] - 57:19, 57:20, 70:21, 93:2, 115:22, 116:6, 116:15</p> <p><b>events</b> [2] - 30:7, 116:22</p> <p><b>evidence</b> [16] - 6:14, 16:2, 17:25, 19:5, 20:16, 29:5, 30:9, 32:8, 33:25, 36:22, 36:24, 37:3, 39:2, 73:12, 85:23, 107:18</p> <p><b>exact</b> [3] - 7:8, 59:23, 93:5</p> <p><b>exactly</b> [2] - 6:3, 102:17</p> <p><b>exam</b> [1] - 89:5</p> <p><b>EXAMINATION</b> [3] - 3:5, 41:6, 117:17</p> <p><b>example</b> [2] - 18:20, 105:7</p> <p><b>examples</b> [1] - 18:5</p>
---	--	--	---

## E

**E-17** [4] - 86:14, 86:23, 87:7, 87:23

**E-19** [2] - 86:23, 87:7

**e-mail** [1] - 6:22

**e.g** [1] - 18:10

**early** [10] - 47:14, 47:18, 48:11, 55:1, 71:13, 88:8, 115:17, 115:19, 116:8, 116:9

**easier** [1] - 64:7

**easily** [1] - 79:24

**East** [1] - 2:6

**easy** [1] - 80:2

**educate** [3] - 30:22, 34:25, 60:18

**educational** [2] - 28:16, 30:18

**Edwards** [1] - 2:4

**EDWARDS** [1] - 2:5

**effect** [1] - 27:13

**effectively** [1] - 28:22

**effort** [1] - 81:14

**efforts** [3] - 25:11, 25:12, 25:13

**either** [9] - 57:23, 66:11, 70:2, 77:5, 89:18, 106:5, 109:3, 113:21, 115:11

**elderly** [6] - 15:7, 21:22, 42:24, 43:5, 70:16, 89:14

**electrical** [1] - 85:9

**elephant** [1] - 25:19

**eliminate** [1] - 73:19

**eliminated** [1] - 73:9

**Ellison** [1] - 81:17

**ELLISON** [1] - 1:11

**ELVIN** [1] - 1:4

**emergency** [4] - 4:19, 4:25, 96:19, 96:21

**employees** [2] - 30:10, 30:12

**empty** [5] - 84:4, 88:8, 89:9, 90:1, 90:16

<p><b>exceeded</b> [1] - 34:17</p> <p><b>exception</b> [2] - 39:17, 39:23</p> <p><b>exchange</b> [2] - 53:24, 55:5</p> <p><b>exclude</b> [2] - 39:18, 39:21</p> <p><b>excluded</b> [2] - 4:7, 62:22</p> <p><b>excluding</b> [1] - 4:8</p> <p><b>exclusion</b> [1] - 4:8</p> <p><b>excuse</b> [1] - 118:23</p> <p><b>excused</b> [2] - 120:21, 120:22</p> <p><b>executive</b> [5] - 28:12, 41:10, 41:13, 47:4, 62:11</p> <p><b>exhaust</b> [2] - 16:22, 17:3</p> <p><b>exhausted</b> [1] - 16:8</p> <p><b>exhibit</b> [12] - 14:3, 37:18, 37:20, 37:21, 38:4, 38:20, 85:24, 85:25, 86:3, 87:14, 107:20, 107:22</p> <p><b>Exhibit</b> [7] - 15:12, 85:23, 87:12, 87:13, 107:17, 108:13, 113:19</p> <p><b>exhibits</b> [7] - 37:9, 37:11, 37:14, 37:15, 37:16, 38:9, 39:1</p> <p><b>exist</b> [4] - 81:13, 104:8, 105:21, 106:5</p> <p><b>existing</b> [4] - 30:25, 98:2, 101:21, 101:25</p> <p><b>exists</b> [3] - 92:9, 104:7, 106:5</p> <p><b>experience</b> [1] - 72:21</p> <p><b>expert</b> [9] - 47:2, 47:6, 71:10, 71:12, 71:25, 72:1, 91:4, 91:8, 92:8</p> <p><b>expertise</b> [1] - 103:22</p> <p><b>experts</b> [31] - 26:12, 26:23, 26:25, 27:1, 27:4, 32:20, 39:18, 39:19, 39:21, 40:3, 40:11, 71:18, 73:14, 73:22, 74:6, 74:8, 74:13, 74:17, 74:24, 75:2, 90:21, 91:13, 91:18, 91:19, 91:22, 91:24, 92:10, 92:13, 92:17</p> <p><b>experts'</b> [2] - 16:5, 92:22</p> <p><b>explain</b> [3] - 18:4, 73:21, 117:4</p> <p><b>explained</b> [5] - 15:23, 49:6, 49:7, 49:16, 50:5</p> <p><b>explaining</b> [1] - 49:16</p> <p><b>explanation</b> [1] - 88:7</p> <p><b>exposed</b> [2] - 26:21, 115:6</p> <p><b>expressly</b> [1] - 27:19</p> <p><b>extend</b> [1] - 106:3</p> <p><b>extendable</b> [2] - 96:20, 97:9</p> <p><b>extended</b> [1] - 107:14</p> <p><b>extension</b> [6] - 93:8, 93:9, 96:2, 96:8, 96:12, 96:17</p> <p><b>extensions</b> [2] - 93:11, 97:23</p> <p><b>extensive</b> [1] - 8:21</p> <p><b>extent</b> [1] - 59:9</p> <p><b>extra</b> [1] - 57:4</p>	<p><b>extreme</b> [1] - 92:4</p> <p><b>extremely</b> [1] - 15:8</p> <p style="text-align: center;"><b>F</b></p> <p><b>face</b> [2] - 16:24, 31:4</p> <p><b>facilitate</b> [1] - 55:18</p> <p><b>facilities</b> [17] - 27:12, 27:24, 27:25, 33:9, 41:18, 50:21, 51:17, 52:15, 52:21, 60:2, 61:5, 71:21, 71:24, 73:24, 83:11, 84:4, 103:12</p> <p><b>facility</b> [20] - 32:13, 59:25, 60:10, 73:6, 73:19, 75:20, 76:23, 77:2, 77:6, 77:15, 82:8, 82:9, 94:10, 103:13, 103:21, 103:22, 107:2, 107:3, 109:13, 112:24</p> <p><b>fact</b> [4] - 25:24, 32:7, 39:8, 45:8</p> <p><b>factor</b> [3] - 47:15, 47:19, 48:12</p> <p><b>factories</b> [2] - 31:5, 77:11</p> <p><b>facts</b> [3] - 27:15, 96:4, 111:3</p> <p><b>factual</b> [1] - 5:13</p> <p><b>factually</b> [1] - 9:12</p> <p><b>fading</b> [1] - 23:16</p> <p><b>failure</b> [3] - 17:3, 17:11, 17:17</p> <p><b>fair</b> [2] - 100:20, 101:11</p> <p><b>fairly</b> [1] - 47:22</p> <p><b>faith</b> [1] - 25:20</p> <p><b>familiar</b> [8] - 24:25, 65:11, 86:25, 87:2, 87:4, 88:2, 88:4, 113:12</p> <p><b>far</b> [6] - 21:19, 36:18, 64:12, 64:13, 92:6, 115:10</p> <p><b>fashion</b> [2] - 30:10, 36:22</p> <p><b>fast</b> [3] - 14:17, 17:7, 98:17</p> <p><b>fast-moving</b> [1] - 14:17</p> <p><b>fast-pace</b> [1] - 17:7</p> <p><b>faster</b> [6] - 17:7, 98:12, 101:17, 101:23, 102:13, 103:4</p> <p><b>fatal</b> [1] - 98:17</p> <p><b>fault</b> [1] - 65:2</p> <p><b>FAX</b> [2] - 1:22, 2:7</p> <p><b>feasible</b> [1] - 68:1</p> <p><b>February</b> [1] - 28:8</p> <p><b>fed</b> [1] - 31:19</p> <p><b>federal</b> [1] - 13:5</p> <p><b>fee</b> [1] - 61:8</p> <p><b>feet</b> [2] - 59:7, 107:10</p> <p><b>fell</b> [1] - 30:12</p> <p><b>felt</b> [9] - 94:15, 98:15, 100:7, 100:21, 101:11, 101:12, 101:22, 102:12</p> <p><b>Fennessey</b> [1] - 2:12</p> <p><b>fever</b> [4] - 18:9, 18:17, 30:11</p> <p><b>few</b> [5] - 4:6, 18:5, 48:3, 71:7,</p>	<p>76:20</p> <p><b>Fifth</b> [4] - 23:13, 24:19, 37:2, 62:6</p> <p><b>figured</b> [1] - 109:9</p> <p><b>file</b> [2] - 95:15, 95:16</p> <p><b>filed</b> [17] - 5:11, 9:7, 27:16, 28:7, 29:15, 29:21, 29:23, 38:17, 45:14, 45:18, 87:17, 87:18, 93:16, 93:20, 96:7, 98:5</p> <p><b>filing</b> [1] - 16:22</p> <p><b>filled</b> [3] - 108:20, 108:23, 109:3</p> <p><b>filtered</b> [1] - 105:1</p> <p><b>final</b> [3] - 35:12, 94:11, 94:25</p> <p><b>fine</b> [5] - 12:23, 22:17, 98:15, 99:5, 100:10</p> <p><b>finish</b> [2] - 4:18, 76:20</p> <p><b>fire</b> [5] - 16:9, 22:5, 33:2, 75:19, 77:16</p> <p><b>FIRM</b> [1] - 2:5</p> <p><b>first</b> [20] - 9:10, 13:3, 13:15, 17:22, 25:2, 26:5, 28:2, 32:25, 39:5, 40:12, 46:5, 51:17, 55:3, 70:21, 71:17, 108:18, 112:12, 113:9, 113:11, 113:14</p> <p><b>fit</b> [1] - 20:24</p> <p><b>fits</b> [1] - 20:23</p> <p><b>five</b> [4] - 8:4, 16:15, 32:7, 119:2</p> <p><b>flammable</b> [2] - 75:10, 75:18</p> <p><b>floor</b> [2] - 55:20, 76:8</p> <p><b>focused</b> [1] - 99:20</p> <p><b>focusing</b> [1] - 51:6</p> <p><b>folks</b> [1] - 43:22</p> <p><b>follow</b> [3] - 67:18, 67:24, 88:24</p> <p><b>follow-up</b> [1] - 88:24</p> <p><b>followed</b> [3] - 44:6, 55:3, 63:22</p> <p><b>following</b> [3] - 16:6, 18:18, 51:4</p> <p><b>foot</b> [4] - 59:23, 105:9, 105:11, 107:14</p> <p><b>FOR</b> [4] - 1:15, 2:3, 2:9, 3:3</p> <p><b>foregoing</b> [1] - 121:9</p> <p><b>form</b> [20] - 108:4, 108:6, 108:7, 108:21, 109:8, 111:1, 112:25, 113:1, 113:4, 113:8, 113:10, 113:12, 113:19, 114:5, 114:11, 115:10, 115:14, 115:15</p> <p><b>formal</b> [3] - 48:20, 49:13, 49:23</p> <p><b>formulate</b> [1] - 27:12</p> <p><b>forth</b> [2] - 14:11, 72:10</p> <p><b>forward</b> [11] - 49:1, 49:21, 50:7, 54:8, 67:25, 71:19,</p>	<p>72:15, 73:16, 76:16, 83:6</p> <p><b>foundation</b> [1] - 44:23</p> <p><b>four</b> [7] - 11:21, 19:15, 28:1, 31:13, 51:18, 52:15, 84:24</p> <p><b>frame</b> [7] - 45:11, 93:4, 93:11, 98:12, 99:1, 99:6, 106:17</p> <p><b>frames</b> [3] - 83:25, 97:1, 102:2</p> <p><b>frankly</b> [1] - 6:4</p> <p><b>frequent</b> [5] - 55:18, 65:6, 66:22, 67:11, 68:5</p> <p><b>frequently</b> [2] - 53:21, 64:22</p> <p><b>fresh</b> [1] - 54:15</p> <p><b>Friday</b> [2] - 5:22, 50:1</p> <p><b>FROM</b> [1] - 1:25</p> <p><b>front</b> [1] - 86:25</p> <p><b>full</b> [2] - 62:15, 114:3</p> <p><b>function</b> [1] - 14:9</p> <p><b>functions</b> [1] - 20:1</p> <p><b>future</b> [4] - 52:23, 63:5, 72:25, 82:24</p> <p style="text-align: center;"><b>G</b></p> <p><b>Galveston</b> [1] - 92:11</p> <p><b>gathe</b> [1] - 15:25</p> <p><b>gathered</b> [1] - 116:20</p> <p><b>gathering</b> [1] - 76:9</p> <p><b>gayle</b> [1] - 24:2</p> <p><b>Gayle</b> [1] - 121:16</p> <p><b>GAYLE</b> [1] - 2:19</p> <p><b>general</b> [4] - 70:4, 84:2, 85:1, 116:24</p> <p><b>GENERAL</b> [1] - 2:13</p> <p><b>General's</b> [3] - 7:15, 22:11, 101:6</p> <p><b>general's</b> [1] - 23:1</p> <p><b>generally</b> [5] - 69:9, 77:5, 85:12, 89:18, 110:23</p> <p><b>gentlemen</b> [1] - 25:1</p> <p><b>geriatric</b> [2] - 84:20, 90:10</p> <p><b>germs</b> [2] - 35:6, 76:9</p> <p><b>given</b> [8] - 32:6, 32:7, 32:11, 38:20, 81:13, 82:25, 91:16, 117:2</p> <p><b>global</b> [1] - 42:18</p> <p><b>globe</b> [2] - 25:11, 36:17</p> <p><b>gloves</b> [5] - 15:19, 19:4, 19:5, 31:1, 55:21</p> <p><b>Governor</b> [1] - 29:20</p> <p><b>gowns</b> [3] - 19:4, 31:2, 31:4</p> <p><b>grab</b> [1] - 32:11</p> <p><b>grabbing</b> [1] - 108:21</p> <p><b>granted</b> [2] - 5:9, 16:7</p> <p><b>granting</b> [1] - 4:24</p> <p><b>great</b> [3] - 22:24, 33:19, 92:14</p> <p><b>Green</b> [1] - 1:18</p> <p><b>gridlocked</b> [1] - 116:4</p>
--	---	--	--



<p><b>grievance</b> <sup>[54]</sup> - 16:22, 16:23, 17:3, 17:4, 17:6, 45:8, 93:3, 93:25, 94:2, 94:5, 94:6, 94:7, 94:8, 94:9, 94:12, 94:14, 94:23, 95:6, 95:11, 95:13, 95:14, 95:15, 95:16, 95:23, 96:1, 96:6, 96:7, 96:18, 96:22, 96:23, 96:25, 97:3, 97:8, 97:17, 97:22, 98:5, 98:14, 99:7, 100:1, 100:18, 101:17, 102:11, 102:14, 118:6, 118:8, 118:10, 118:13, 118:14, 118:16, 118:17, 120:5</p> <p><b>grievances</b> <sup>[31]</sup> - 44:10, 45:5, 45:6, 45:7, 45:9, 45:12, 45:13, 45:18, 93:6, 93:7, 93:9, 93:15, 95:12, 96:3, 96:19, 97:10, 97:23, 97:25, 98:7, 98:16, 99:15, 99:17, 99:22, 100:7, 100:19, 100:22, 101:13, 102:3, 118:9</p> <p><b>group</b> <sup>[3]</sup> - 26:16, 26:20</p> <p><b>groups</b> <sup>[1]</sup> - 26:21</p> <p><b>guards</b> <sup>[2]</sup> - 20:6, 20:7</p> <p><b>guess</b> <sup>[4]</sup> - 10:14, 10:23, 70:10, 98:1</p> <p><b>guessing</b> <sup>[1]</sup> - 37:17</p> <p><b>guidance</b> <sup>[7]</sup> - 15:18, 16:6, 17:24, 20:15, 27:11, 36:21</p> <p><b>guide</b> <sup>[2]</sup> - 26:25, 91:22</p> <p><b>guideline</b> <sup>[1]</sup> - 52:20</p> <p><b>guidelines</b> <sup>[9]</sup> - 17:23, 27:23, 29:17, 33:15, 55:11, 59:24, 61:23, 63:22, 105:12</p> <p><b>guy</b> <sup>[1]</sup> - 72:11</p> <p><b>guys</b> <sup>[3]</sup> - 72:4, 114:12, 120:18</p> <p><b>gymnasium</b> <sup>[8]</sup> - 59:9, 60:5, 82:2, 82:3, 82:7, 82:17, 83:1, 83:7</p>	<p>78:8, 78:10, 79:10, 79:13, 79:16, 79:18, 79:19, 79:20, 80:2, 80:4, 80:6, 80:11, 80:13</p> <p><b>hands</b> <sup>[6]</sup> - 33:20, 35:6, 53:21, 76:7, 79:6, 80:8</p> <p><b>handwashing</b> <sup>[8]</sup> - 64:22, 64:24, 65:6, 65:14, 65:22, 66:22, 67:11, 68:5</p> <p><b>happy</b> <sup>[2]</sup> - 7:21, 100:4</p> <p><b>hard</b> <sup>[3]</sup> - 23:16, 47:23, 54:24</p> <p><b>hardest</b> <sup>[1]</sup> - 14:24</p> <p><b>harm</b> <sup>[2]</sup> - 17:11, 17:13</p> <p><b>haul</b> <sup>[1]</sup> - 103:3</p> <p><b>head</b> <sup>[3]</sup> - 25:19, 105:9, 105:11</p> <p><b>headquarters</b> <sup>[3]</sup> - 29:1, 29:7, 29:12</p> <p><b>Health</b> <sup>[2]</sup> - 106:1, 106:2</p> <p><b>health</b> <sup>[7]</sup> - 13:11, 15:7, 27:2, 28:10, 42:21, 92:2, 92:11</p> <p><b>healthcare</b> <sup>[20]</sup> - 26:24, 27:8, 48:25, 49:20, 50:6, 52:16, 61:8, 67:19, 67:25, 71:18, 71:22, 72:7, 74:11, 74:15, 74:25, 75:1, 75:3, 91:21, 92:10</p> <p><b>Healthcare</b> <sup>[2]</sup> - 69:17, 74:12</p> <p><b>healthy</b> <sup>[1]</sup> - 28:18</p> <p><b>hear</b> <sup>[44]</sup> - 4:13, 5:1, 12:22, 12:23, 17:19, 17:22, 18:3, 18:5, 18:13, 18:20, 19:24, 20:5, 20:7, 20:21, 22:15, 22:17, 23:23, 23:24, 24:1, 24:2, 24:3, 24:8, 24:9, 27:2, 27:7, 29:8, 32:20, 32:23, 39:21, 40:10, 40:11, 44:5, 44:8, 44:15, 44:20, 52:4, 80:19, 86:2, 87:15, 119:5, 119:7, 119:9, 119:11</p> <p><b>heard</b> <sup>[5]</sup> - 16:20, 27:13, 35:12, 80:18, 90:22</p> <p><b>hearing</b> <sup>[6]</sup> - 4:18, 5:20, 12:6, 15:13, 15:20, 16:1</p> <p><b>heat</b> <sup>[3]</sup> - 25:22, 25:24, 80:17</p> <p><b>heavily</b> <sup>[1]</sup> - 74:17</p> <p><b>heck</b> <sup>[4]</sup> - 43:23, 77:5, 112:22, 113:6</p> <p><b>heeding</b> <sup>[1]</sup> - 16:5</p> <p><b>height</b> <sup>[1]</sup> - 20:2</p> <p><b>heightened</b> <sup>[2]</sup> - 22:1</p> <p><b>HELD</b> <sup>[1]</sup> - 1:10</p> <p><b>help</b> <sup>[15]</sup> - 43:13, 43:19, 46:11, 57:4, 63:23, 64:21, 65:4, 66:21, 67:10, 68:4, 71:23, 73:3, 84:25, 91:22</p> <p><b>helped</b> <sup>[1]</sup> - 103:14</p> <p><b>helpful</b> <sup>[1]</sup> - 11:15</p> <p><b>Herrera</b> <sup>[36]</sup> - 23:2, 43:7,</p>	<p>43:10, 43:12, 43:15, 43:18, 60:11, 82:6, 82:12, 82:20, 82:25, 83:3, 83:7, 83:9, 87:9, 88:4, 88:23, 89:8, 89:13, 89:16, 89:24, 90:15, 94:3, 103:8, 103:14, 103:17, 103:21, 104:1, 104:10, 104:15, 104:20, 104:25, 105:5, 112:7, 113:25, 114:8</p> <p><b>HERRERA</b> <sup>[1]</sup> - 1:7</p> <p><b>Herrera's</b> <sup>[3]</sup> - 15:12, 93:24, 104:3</p> <p><b>high</b> <sup>[5]</sup> - 14:23, 15:8, 30:22, 70:16, 92:1</p> <p><b>higher</b> <sup>[4]</sup> - 20:22, 30:11, 42:22, 84:21</p> <p><b>highest</b> <sup>[3]</sup> - 14:23, 21:23, 41:13</p> <p><b>highly</b> <sup>[2]</sup> - 14:17, 92:9</p> <p><b>hit</b> <sup>[1]</sup> - 14:24</p> <p><b>Hockman</b> <sup>[1]</sup> - 1:17</p> <p><b>hold</b> <sup>[5]</sup> - 6:9, 6:10, 21:17, 24:11, 119:1</p> <p><b>home</b> <sup>[1]</sup> - 30:11</p> <p><b>homes</b> <sup>[2]</sup> - 14:20, 21:16</p> <p><b>Honor</b> <sup>[113]</sup> - 4:9, 5:3, 5:6, 6:18, 6:22, 7:11, 7:13, 7:19, 8:5, 8:8, 8:15, 8:18, 9:5, 10:8, 11:4, 11:19, 11:23, 12:10, 12:16, 12:22, 13:1, 13:12, 13:24, 14:16, 15:3, 15:14, 16:10, 17:18, 17:22, 19:10, 19:24, 21:7, 22:7, 22:10, 22:16, 22:20, 22:21, 23:4, 23:20, 23:24, 24:6, 25:6, 25:19, 26:6, 26:7, 26:11, 26:24, 27:14, 28:3, 29:6, 29:12, 29:25, 30:4, 30:14, 31:6, 31:23, 32:4, 32:8, 32:17, 32:19, 32:23, 33:1, 33:10, 34:4, 34:8, 34:11, 34:19, 34:22, 34:23, 35:7, 35:11, 35:16, 35:21, 36:14, 36:16, 37:6, 37:10, 37:22, 39:4, 39:6, 39:7, 39:15, 39:20, 39:25, 40:13, 40:21, 41:5, 44:13, 52:2, 52:8, 53:14, 54:18, 55:25, 56:7, 59:21, 68:9, 76:19, 78:13, 78:20, 85:22, 86:10, 86:11, 87:16, 87:20, 110:11, 110:17, 115:19, 117:12, 117:16, 118:23, 119:14, 120:14, 120:24</p> <p><b>HONORABLE</b> <sup>[1]</sup> - 1:11</p> <p><b>hopefully</b> <sup>[1]</sup> - 73:7</p> <p><b>hospital</b> <sup>[4]</sup> - 6:10, 6:11, 9:14, 25:4</p> <p><b>hospitalization</b> <sup>[3]</sup> - 5:9,</p>	<p>5:15, 6:8</p> <p><b>hospitalizations</b> <sup>[5]</sup> - 8:4, 8:17, 8:22, 11:6, 11:10</p> <p><b>hospitalized</b> <sup>[2]</sup> - 6:16, 10:22</p> <p><b>hospitals</b> <sup>[2]</sup> - 9:14, 47:23</p> <p><b>hours</b> <sup>[7]</sup> - 18:8, 106:13, 106:15, 106:19, 111:7, 111:8, 117:25</p> <p><b>house</b> <sup>[3]</sup> - 60:3, 85:1, 85:19</p> <p><b>housed</b> <sup>[7]</sup> - 60:7, 86:12, 87:3, 106:9, 107:2, 109:13, 109:15</p> <p><b>housekeeping</b> <sup>[1]</sup> - 12:25</p> <p><b>houses</b> <sup>[1]</sup> - 15:1</p> <p><b>housing</b> <sup>[11]</sup> - 55:16, 55:21, 59:10, 60:6, 64:3, 64:15, 84:8, 107:2, 107:4, 108:19, 109:1</p> <p><b>HOUSTON</b> <sup>[1]</sup> - 1:3</p> <p><b>Houston</b> <sup>[3]</sup> - 1:7, 1:21, 2:20</p> <p><b>hundred</b> <sup>[6]</sup> - 10:25, 21:20, 93:14, 93:15, 93:22</p> <p><b>Hurricane</b> <sup>[1]</sup> - 29:3</p> <p><b>hurricanes</b> <sup>[1]</sup> - 29:3</p> <p><b>hurry</b> <sup>[1]</sup> - 89:9</p> <p><b>hygiene</b> <sup>[3]</sup> - 28:19, 30:19, 32:21</p> <p><b>hypothetical</b> <sup>[3]</sup> - 98:19, 98:23, 111:2</p>
<p><b>H</b></p>			
<p><b>H-20-CV-1115</b> <sup>[1]</sup> - 1:6</p> <p><b>half</b> <sup>[1]</sup> - 38:16</p> <p><b>hand</b> <sup>[60]</sup> - 21:9, 32:5, 32:6, 32:19, 32:21, 32:23, 32:25, 33:3, 33:7, 33:9, 33:12, 33:13, 33:17, 34:2, 40:19, 40:23, 45:24, 46:2, 53:10, 53:11, 53:19, 53:20, 53:24, 63:19, 63:20, 63:24, 63:25, 64:4, 64:7, 66:2, 67:15, 67:22, 68:6, 75:7, 75:8, 75:23, 76:11, 76:20, 76:24, 76:25, 77:3, 77:8, 77:16, 77:19, 77:24, 78:1, 78:3,</p>			
			<p><b>idea</b> <sup>[2]</sup> - 63:20, 72:3</p> <p><b>identification</b> <sup>[1]</sup> - 111:22</p> <p><b>identified</b> <sup>[16]</sup> - 38:5, 38:9, 49:19, 72:10, 72:22, 73:1, 76:14, 97:13, 98:3, 105:12, 107:5, 109:8, 111:9, 111:17, 112:8, 113:20</p> <p><b>identifies</b> <sup>[1]</sup> - 75:1</p> <p><b>identify</b> <sup>[13]</sup> - 46:11, 46:17, 47:8, 48:25, 50:17, 51:3, 66:5, 73:4, 96:24, 98:9, 106:23, 107:9, 118:19</p> <p><b>identifying</b> <sup>[3]</sup> - 35:5, 97:16, 112:14</p> <p><b>ignores</b> <sup>[1]</sup> - 18:4</p> <p><b>ignoring</b> <sup>[1]</sup> - 24:17</p> <p><b>Il</b> <sup>[3]</sup> - 96:3, 97:2, 97:6</p> <p><b>ill</b> <sup>[2]</sup> - 30:10, 30:13</p> <p><b>immediate</b> <sup>[2]</sup> - 15:22, 82:24</p> <p><b>immediately</b> <sup>[3]</sup> - 9:8, 16:2, 58:14</p> <p><b>immune</b> <sup>[1]</sup> - 23:8</p> <p><b>impaired</b> <sup>[14]</sup> - 20:13, 63:21, 64:18, 64:21, 65:5, 65:13, 65:20, 65:25, 66:13, 66:21, 67:10, 67:14, 68:4, 76:6</p> <p><b>impeach</b> <sup>[1]</sup> - 119:22</p> <p><b>impeachment</b> <sup>[1]</sup> - 119:15</p>

<p><b>implement</b> [3] - 20:14, 59:6, 74:16</p> <p><b>implementation</b> [4] - 35:14, 36:13, 51:14</p> <p><b>implemented</b> [7] - 31:8, 32:14, 36:20, 36:21, 46:10, 51:22, 68:25</p> <p><b>implementing</b> [1] - 30:12</p> <p><b>importance</b> [1] - 42:5</p> <p><b>important</b> [11] - 30:5, 38:20, 46:7, 47:1, 47:11, 47:15, 47:19, 48:12, 98:9, 113:13, 113:17</p> <p><b>impossible</b> [1] - 26:15</p> <p><b>improper</b> [1] - 118:23</p> <p><b>improvement</b> [1] - 18:10</p> <p><b>in-person</b> [1] - 28:21</p> <p><b>inadequacy</b> [1] - 36:25</p> <p><b>inadequate</b> [3] - 33:23, 35:15, 36:13</p> <p><b>inaudible</b> [1] - 44:14</p> <p><b>incarcerated</b> [1] - 17:12</p> <p><b>incentive</b> [1] - 90:20</p> <p><b>incentivized</b> [1] - 26:11</p> <p><b>incident</b> [2] - 77:6, 118:16</p> <p><b>incidents</b> [1] - 77:2</p> <p><b>include</b> [1] - 27:1</p> <p><b>included</b> [3] - 27:4, 30:17, 50:8</p> <p><b>includes</b> [2] - 41:18, 42:13</p> <p><b>including</b> [11] - 7:2, 11:18, 18:16, 25:12, 28:5, 40:5, 55:17, 55:19, 67:14, 84:5, 104:1</p> <p><b>incomplete</b> [1] - 111:2</p> <p><b>increase</b> [9] - 30:17, 59:11, 82:4, 82:17, 83:2, 83:9, 90:16, 105:10, 115:17</p> <p><b>increased</b> [6] - 20:9, 28:8, 30:3, 103:9, 103:18</p> <p><b>INDEX</b> [1] - 3:1</p> <p><b>indicate</b> [1] - 80:7</p> <p><b>indicated</b> [1] - 54:14</p> <p><b>indifference</b> [17] - 17:17, 17:19, 20:2, 20:16, 20:17, 20:19, 21:1, 23:9, 23:12, 24:16, 24:20, 24:23, 25:18, 33:25, 35:20, 36:15, 37:3</p> <p><b>indifferent</b> [2] - 21:25, 34:1</p> <p><b>indiscernible</b> [1] - 119:4</p> <p><b>indisputable</b> [1] - 21:1</p> <p><b>individual</b> [4] - 16:18, 66:10, 107:6, 113:20</p> <p><b>individuals</b> [10] - 10:2, 42:21, 59:8, 61:16, 64:21, 72:15, 76:11, 106:23, 115:11</p> <p><b>ineffective</b> [1] - 118:8</p> <p><b>infected</b> [2] - 17:14, 42:22</p> <p><b>infection</b> [2] - 27:18, 76:9</p>	<p><b>infectious</b> [1] - 14:18</p> <p><b>infirm</b> [1] - 21:22</p> <p><b>infirmary</b> [1] - 19:18</p> <p><b>infliction</b> [1] - 24:21</p> <p><b>inform</b> [1] - 26:25</p> <p><b>informal</b> [7] - 11:6, 48:20, 49:13, 49:24, 95:11, 95:17, 95:19</p> <p><b>informally</b> [1] - 95:23</p> <p><b>information</b> [23] - 5:14, 5:15, 9:12, 9:19, 10:13, 10:20, 11:5, 11:7, 11:13, 30:21, 36:11, 51:16, 60:17, 60:19, 61:4, 64:25, 74:17, 76:15, 92:6, 100:9, 116:14, 117:21, 118:18</p> <p><b>ingest</b> [1] - 75:9</p> <p><b>ingested</b> [1] - 75:17</p> <p><b>ingesting</b> [1] - 77:7</p> <p><b>initial</b> [1] - 95:13</p> <p><b>injunction</b> [5] - 15:13, 15:20, 16:7, 19:6, 22:4</p> <p><b>inmate</b> [15] - 11:20, 15:16, 19:14, 19:25, 20:3, 44:10, 45:4, 55:19, 55:21, 61:14, 77:15, 87:3, 106:9, 113:14</p> <p><b>inmates</b> [66] - 5:15, 10:3, 14:21, 15:1, 15:6, 15:14, 16:8, 17:12, 18:3, 18:13, 19:5, 20:5, 20:11, 20:25, 33:6, 36:18, 42:1, 42:4, 44:5, 45:24, 53:10, 54:13, 54:14, 56:19, 58:13, 59:8, 59:11, 60:18, 63:20, 64:13, 64:18, 65:5, 65:20, 65:25, 66:13, 66:21, 67:10, 67:13, 67:14, 68:5, 68:6, 75:8, 75:9, 75:12, 75:22, 76:6, 76:7, 76:23, 78:10, 79:12, 80:1, 80:10, 84:9, 86:12, 86:14, 86:22, 87:7, 87:24, 87:25, 88:9, 89:14, 90:16, 105:6, 106:8, 106:10</p> <p><b>inmates'</b> [3] - 6:7, 45:9, 45:25</p> <p><b>inquiry</b> [1] - 41:4</p> <p><b>inside</b> [1] - 115:13</p> <p><b>installed</b> [1] - 85:11</p> <p><b>instance</b> [2] - 118:6, 118:12</p> <p><b>instead</b> [6] - 9:23, 16:5, 16:24, 23:8, 31:13, 35:18</p> <p><b>institute</b> [1] - 57:9</p> <p><b>instituted</b> [1] - 30:1</p> <p><b>institution</b> [5] - 33:7, 33:8, 42:7, 42:13, 105:22</p> <p><b>institutions</b> [6] - 27:25, 28:5, 29:13, 29:17, 33:5, 83:13</p> <p><b>instruct</b> [4] - 66:12, 66:15, 89:11, 105:6</p> <p><b>instructed</b> [2] - 66:20, 89:8</p>	<p><b>instruction</b> [3] - 82:25, 90:5, 114:13</p> <p><b>instructions</b> [2] - 104:24, 105:21</p> <p><b>instructs</b> [1] - 70:5</p> <p><b>insufficiency</b> [1] - 37:1</p> <p><b>insufficient</b> [1] - 35:15</p> <p><b>intake</b> [1] - 116:3</p> <p><b>intelligent</b> [1] - 44:25</p> <p><b>intend</b> [3] - 39:18, 39:21, 103:2</p> <p><b>intended</b> [1] - 17:23</p> <p><b>intensify</b> [1] - 33:2</p> <p><b>intensity</b> [1] - 30:3</p> <p><b>intention</b> [1] - 67:13</p> <p><b>intentional</b> [1] - 23:12</p> <p><b>intentionally</b> [6] - 23:13, 24:17, 24:18, 27:21, 30:14, 30:25</p> <p><b>interacting</b> [1] - 26:15</p> <p><b>interconnected</b> [1] - 26:14</p> <p><b>interference</b> [3] - 23:7, 23:14, 44:12</p> <p><b>intermingling</b> [1] - 26:15</p> <p><b>interpret</b> [1] - 55:10</p> <p><b>Interruption</b> [1] - 17:20</p> <p><b>inventoried</b> [1] - 30:25</p> <p><b>inventory</b> [1] - 55:5</p> <p><b>investigate</b> [3] - 97:8, 99:15, 100:18</p> <p><b>investigation</b> [5] - 109:19, 112:6, 114:14, 115:4, 117:23</p> <p><b>investigator</b> [5] - 94:2, 94:5, 94:9, 94:15, 95:7</p> <p><b>invoke</b> [1] - 39:7</p> <p><b>invoked</b> [1] - 40:10</p> <p><b>involved</b> [2] - 25:24, 82:22</p> <p><b>involving</b> [1] - 58:14</p> <p><b>irrelevant</b> [1] - 13:22</p> <p><b>isolate</b> [2] - 50:16, 115:11</p> <p><b>isolating</b> [2] - 18:5, 114:23</p> <p><b>isolation</b> [2] - 18:7, 84:5</p> <p><b>issue</b> [27] - 5:20, 10:16, 12:6, 25:17, 32:17, 32:18, 32:19, 32:24, 32:25, 33:10, 33:22, 33:23, 34:9, 59:22, 63:6, 64:5, 76:14, 79:20, 79:24, 80:4, 80:6, 89:3, 95:24, 97:13, 98:2</p> <p><b>issued</b> [3] - 29:20, 31:7, 55:1</p> <p><b>issues</b> [14] - 12:17, 12:25, 15:7, 22:15, 37:12, 46:2, 57:4, 67:20, 84:21, 96:25, 97:16, 98:4, 99:3, 116:13</p> <p><b>item</b> [2] - 19:13, 101:5</p> <p><b>items</b> [2] - 32:21, 34:5</p>	<p style="text-align: center;"><b>J</b></p> <p><b>jail</b> [1] - 9:11</p> <p><b>James</b> [6] - 2:4, 5:4, 5:7, 8:7, 8:25, 9:2</p> <p><b>JAMES</b> [6] - 5:6, 6:22, 7:2, 7:7, 9:5, 10:8</p> <p><b>janitor</b> [2] - 15:16, 19:14</p> <p><b>janitorial</b> [1] - 55:22</p> <p><b>janitors</b> [6] - 19:15, 19:16, 19:17, 19:21, 19:25, 20:9</p> <p><b>Jason</b> [1] - 2:11</p> <p><b>jeff@edwards</b> [1] - 2:8</p> <p><b>jeff@edwards-law.com</b> [1] - 2:8</p> <p><b>Jeffrey</b> [1] - 2:4</p> <p><b>Jersey</b> [1] - 21:16</p> <p><b>jkeville@winston.com</b> [1] - 1:23</p> <p><b>job</b> [3] - 87:3, 107:4, 114:22</p> <p><b>John</b> [4] - 1:16, 5:3, 13:24, 37:10</p> <p><b>joint</b> [1] - 27:17</p> <p><b>journal</b> [1] - 35:23</p> <p><b>judge</b> [1] - 51:25</p> <p><b>Judge</b> [2] - 4:12, 81:17</p> <p><b>judgment</b> [2] - 4:11, 4:15</p> <p><b>July</b> [3] - 5:9, 30:6, 50:1</p> <p><b>july</b> [2] - 1:8, 4:2</p> <p><b>June</b> [7] - 48:19, 49:23, 50:2, 50:9, 50:10, 83:24, 117:1</p> <p><b>jurors</b> [1] - 13:10</p> <p><b>jury</b> [3] - 4:21, 13:5, 13:20</p> <p><b>justice</b> [1] - 23:3</p> <p><b>Justice</b> [1] - 41:11</p> <p><b>JUSTICE</b> [1] - 1:8</p>
			<p style="text-align: center;"><b>K</b></p> <p><b>Katrina</b> [1] - 29:3</p> <p><b>keep</b> [6] - 6:14, 35:10, 64:1, 73:4, 73:5, 80:8</p> <p><b>keeping</b> [2] - 13:14, 84:1</p> <p><b>Keiser</b> [2] - 72:6, 92:11</p> <p><b>KEITH</b> [1] - 1:11</p> <p><b>kept</b> [5] - 18:7, 115:24, 116:12, 116:15</p> <p><b>KEVILLE</b> [102] - 3:5, 4:9, 5:3, 13:24, 14:9, 14:15, 17:22, 37:10, 39:4, 39:6, 39:20, 40:13, 40:16, 41:5, 41:7, 44:13, 45:3, 47:10, 48:7, 48:9, 49:9, 49:11, 53:1, 53:6, 53:7, 54:4, 54:10, 54:11, 55:14, 56:12, 57:7, 58:1, 58:11, 59:4, 60:15, 61:12, 62:4, 63:2, 63:12, 63:17, 63:18, 65:15, 67:3, 68:2, 68:8, 68:13, 68:20, 74:2, 74:3, 74:21, 76:4,</p>

<p>76:19, 76:22, 78:13, 78:20, 78:22, 79:2, 79:4, 80:25, 81:1, 81:8, 81:11, 81:12, 81:21, 82:1, 85:22, 86:11, 86:16, 86:19, 87:11, 87:20, 87:22, 89:7, 89:21, 89:22, 91:6, 92:24, 93:21, 94:19, 94:21, 96:10, 99:4, 99:13, 100:13, 100:16, 101:8, 102:8, 102:10, 107:17, 107:25, 108:3, 108:12, 108:17, 110:5, 110:20, 111:10, 115:9, 117:12, 118:23, 119:14, 120:14, 120:24</p> <p><b>Keville</b> [21] - 1:16, 5:3, 13:24, 14:5, 17:21, 37:10, 40:12, 41:4, 68:11, 72:19, 74:1, 76:17, 87:19, 99:2, 99:12, 104:13, 108:21, 113:9, 118:5, 118:21, 119:22</p> <p><b>key</b> [1] - 64:24</p> <p><b>killed</b> [1] - 17:14</p> <p><b>killer</b> [4] - 23:5, 24:25, 25:11, 25:14</p> <p><b>kind</b> [3] - 66:7, 71:10, 85:2</p> <p><b>King</b> [1] - 18:2</p> <p><b>KING</b> [1] - 1:4</p> <p><b>kitchen</b> [1] - 19:18</p> <p><b>knowing</b> [2] - 45:13, 46:15</p> <p><b>knowledge</b> [15] - 44:18, 44:23, 45:1, 66:23, 67:6, 67:8, 76:13, 88:21, 88:23, 110:14, 110:15, 110:18, 115:2, 115:6, 117:6</p> <p><b>knows</b> [5] - 11:10, 14:16, 14:17, 16:25, 103:21</p> <p><b>Kyle</b> [1] - 1:19</p>	<p><b>law.com</b> [1] - 2:8</p> <p><b>lawsuit</b> [11] - 27:15, 27:16, 27:20, 28:7, 29:15, 29:21, 29:23, 68:3, 81:4, 90:25, 91:8</p> <p><b>lawyers</b> [2] - 81:13, 81:15</p> <p><b>layout</b> [3] - 87:23, 88:3, 88:4</p> <p><b>leadership</b> [1] - 104:10</p> <p><b>leading</b> [3] - 26:11, 36:20, 119:15</p> <p><b>least</b> [14] - 7:16, 18:7, 18:11, 19:14, 19:15, 19:16, 21:24, 44:1, 51:7, 59:7, 79:10, 109:22, 114:10, 115:14</p> <p><b>leave</b> [1] - 26:21</p> <p><b>leaving</b> [1] - 109:17</p> <p><b>left</b> [6] - 24:6, 35:9, 79:5, 103:8, 103:17, 109:22</p> <p><b>legal</b> [21] - 37:1, 52:6, 52:8, 52:24, 53:15, 54:19, 54:21, 55:12, 56:1, 56:23, 57:14, 58:6, 58:20, 59:15, 60:13, 60:25, 61:10, 61:19, 62:2, 63:14, 67:16</p> <p><b>legitimate</b> [1] - 52:11</p> <p><b>Leonard</b> [8] - 15:23, 25:1, 25:4, 25:6, 31:6, 31:25, 114:12</p> <p><b>less</b> [3] - 12:9, 93:22, 107:13</p> <p><b>lethal</b> [3] - 23:5, 24:24, 25:14</p> <p><b>level</b> [2] - 64:2, 114:15</p> <p><b>liable</b> [1] - 35:18</p> <p><b>library</b> [2] - 59:10</p> <p><b>likely</b> [1] - 21:19</p> <p><b>limine</b> [6] - 4:20, 4:21, 4:23, 4:24, 13:16, 13:20</p> <p><b>limit</b> [1] - 58:13</p> <p><b>limited</b> [3] - 47:22, 58:24</p> <p><b>line</b> [11] - 31:12, 31:22, 49:10, 94:20, 100:14, 100:15, 102:9, 112:12</p> <p><b>lined</b> [1] - 31:12</p> <p><b>lining</b> [1] - 31:16</p> <p><b>Linthicum</b> [12] - 27:3, 27:9, 28:13, 52:17, 71:22, 72:5, 72:13, 73:15, 83:15, 91:7, 91:21, 92:7</p> <p><b>lip</b> [1] - 18:1</p> <p><b>list</b> [6] - 5:14, 8:16, 38:4, 38:14, 38:21, 56:15</p> <p><b>listed</b> [2] - 9:21, 69:7</p> <p><b>listen</b> [1] - 40:8</p> <p><b>listening</b> [1] - 68:21</p> <p><b>literal</b> [2] - 16:24, 49:25</p> <p><b>litigation</b> [1] - 80:17</p> <p><b>live</b> [2] - 15:8, 36:4</p> <p><b>lived</b> [3] - 109:10, 111:25, 112:22</p> <p><b>lives</b> [6] - 17:25, 21:7, 22:5, 36:3, 36:17, 36:18</p>	<p><b>living</b> [2] - 109:2, 112:5</p> <p><b>LLP</b> [1] - 1:20</p> <p><b>location</b> [3] - 7:8, 70:22, 90:9</p> <p><b>locations</b> [2] - 79:23, 85:14</p> <p><b>lockdown</b> [7] - 15:17, 31:8, 31:9, 31:11, 31:14, 31:17, 31:18</p> <p><b>look</b> [18] - 23:11, 24:12, 51:13, 51:21, 61:4, 65:24, 66:12, 66:21, 73:20, 73:22, 74:18, 76:17, 79:5, 80:1, 100:4, 107:1, 107:4, 111:6</p> <p><b>looked</b> [3] - 60:2, 80:4, 90:9</p> <p><b>looking</b> [6] - 86:20, 90:8, 101:4, 106:9, 112:12, 116:13</p> <p><b>looks</b> [1] - 87:4</p> <p><b>Lorie</b> [7] - 42:8, 42:12, 42:16, 50:2, 89:23, 90:4, 90:14</p> <p><b>loss</b> [1] - 6:15</p> <p><b>lost</b> [1] - 25:20</p> <p><b>low</b> [1] - 15:14</p>	<p>55:4, 55:5, 55:6, 55:21</p> <p><b>mass</b> [1] - 46:16</p> <p><b>materials</b> [2] - 21:10, 65:1</p> <p><b>mates</b> [1] - 32:3</p> <p><b>matter</b> [2] - 54:22, 121:10</p> <p><b>matters</b> [2] - 4:4, 4:22</p> <p><b>maximized</b> [1] - 60:7</p> <p><b>maximum</b> [4] - 10:5, 97:3, 97:5, 97:6</p> <p><b>McCormick</b> [1] - 24:19</p> <p><b>mean</b> [7] - 5:19, 9:18, 10:23, 24:16, 43:22, 43:23, 88:16</p> <p><b>MEANS</b> [1] - 1:24</p> <p><b>means</b> [1] - 24:17</p> <p><b>measures</b> [5] - 26:25, 32:15, 36:19, 57:13, 59:7</p> <p><b>mechanism</b> [2] - 94:5, 116:10</p> <p><b>medical</b> [55] - 6:5, 6:7, 8:19, 9:3, 18:7, 18:17, 26:11, 26:23, 26:24, 27:5, 27:9, 29:22, 32:18, 32:19, 35:23, 36:20, 42:24, 46:20, 58:15, 58:16, 66:4, 66:9, 66:12, 66:20, 67:9, 68:3, 69:25, 76:14, 76:15, 84:22, 85:9, 89:4, 89:5, 90:20, 90:25, 91:7, 91:17, 92:15, 92:17, 96:25, 110:18, 110:21, 111:6, 111:8, 111:18, 112:7, 112:8, 112:10, 112:15, 112:18, 114:1, 114:2, 115:13</p> <p><b>Medical</b> [1] - 92:3</p> <p><b>medications</b> [1] - 18:9</p> <p><b>medicines</b> [1] - 31:24</p> <p><b>Medlock</b> [1] - 2:5</p> <p><b>meeting</b> [8] - 27:17, 28:11, 66:10, 66:11, 83:14, 83:18, 83:21, 84:3</p> <p><b>meetings</b> [1] - 116:13</p> <p><b>member</b> [2] - 53:10, 61:14</p> <p><b>members</b> [3] - 4:6, 16:21, 54:13</p> <p><b>memory</b> [1] - 86:22</p> <p><b>men</b> [11] - 21:19, 21:21, 21:24, 53:8, 54:12, 55:15, 57:8, 58:12, 59:5, 60:16, 61:13</p> <p><b>mentioned</b> [2] - 82:2, 91:15</p> <p><b>met</b> [4] - 37:5, 43:16, 50:6</p> <p><b>Michael</b> [1] - 1:18</p> <p><b>mid</b> [1] - 13:10</p> <p><b>mid-march</b> [1] - 13:10</p> <p><b>middle</b> [3] - 28:20, 30:6</p> <p><b>midst</b> [1] - 49:17</p> <p><b>might</b> [6] - 4:4, 55:12, 58:10, 65:2, 76:17, 88:18</p> <p><b>mike</b> [1] - 23:18</p> <p><b>million</b> [5] - 35:24, 35:25,</p>
<b>L</b>			
<p><b>lack</b> [5] - 44:17, 44:23, 66:23, 88:21</p> <p><b>lacks</b> [1] - 45:1</p> <p><b>LADDY</b> [1] - 1:4</p> <p><b>Landon</b> [1] - 2:12</p> <p><b>Lannette</b> [4] - 27:2, 27:9, 28:12, 92:7</p> <p><b>large</b> [5] - 16:19, 41:23, 46:11, 69:8, 71:15</p> <p><b>larger</b> [2] - 42:1, 48:2</p> <p><b>last</b> [15] - 13:13, 24:9, 35:12, 36:11, 37:13, 38:1, 38:3, 38:10, 53:25, 57:20, 68:17, 78:2, 99:20, 106:10, 107:8</p> <p><b>lastly</b> [1] - 35:11</p> <p><b>late</b> [2] - 28:7, 93:5</p> <p><b>laundry</b> [1] - 19:18</p> <p><b>LAW</b> [1] - 2:5</p> <p><b>law</b> [2] - 39:17, 59:10</p>			
		<b>M</b>	
		<p><b>ma'am</b> [3] - 118:4, 118:15, 120:8</p> <p><b>machines</b> [2] - 85:10, 88:19</p> <p><b>madam</b> [1] - 24:8</p> <p><b>mail</b> [1] - 6:22</p> <p><b>majority</b> [2] - 15:6, 36:3</p> <p><b>man</b> [3] - 43:21, 62:10, 64:8</p> <p><b>managed</b> [7] - 27:8, 69:17, 72:7, 74:12, 74:25, 91:21, 92:10</p> <p><b>management</b> [5] - 83:12, 94:4, 103:21, 103:25, 104:22</p> <p><b>managers</b> [3] - 82:21, 103:13, 103:24</p> <p><b>managing</b> [1] - 70:5</p> <p><b>manifests</b> [1] - 17:17</p> <p><b>mankind</b> [1] - 24:22</p> <p><b>manner</b> [1] - 97:19</p> <p><b>manufactured</b> [1] - 55:1</p> <p><b>manufacturing</b> [3] - 30:17, 31:3, 31:5</p> <p><b>March</b> [28] - 27:17, 27:20, 28:2, 28:9, 28:11, 28:14, 28:16, 28:20, 28:21, 28:25, 29:25, 30:14, 42:19, 43:1, 43:4, 47:14, 47:18, 47:21, 48:1, 77:23, 83:14, 84:3, 85:16, 87:8, 88:8, 88:14, 90:13, 116:23</p> <p><b>march</b> [2] - 13:10, 48:11</p> <p><b>Mark</b> [1] - 1:19</p> <p><b>masks</b> [15] - 14:19, 20:7, 21:10, 31:1, 31:3, 54:14, 54:15, 54:23, 55:1, 55:2,</p>	

<p>36:1, 36:5, 36:17  <b>minimize</b> [2] - 4:22, 31:21  <b>minimized</b> [1] - 30:15  <b>minute</b> [4] - 35:12, 38:10, 63:19, 105:15  <b>minutes</b> [9] - 12:9, 34:17, 34:20, 34:23, 38:2, 38:4, 38:7, 38:21, 107:15  <b>misleading</b> [2] - 38:23, 110:10  <b>misled</b> [1] - 13:21  <b>misstates</b> [1] - 75:24  <b>mistaken</b> [5] - 49:7, 96:20, 107:12, 109:16, 115:8  <b>mobility</b> [15] - 20:13, 63:21, 64:18, 64:21, 65:5, 65:13, 65:20, 65:25, 66:13, 66:21, 67:10, 67:14, 67:20, 68:4, 76:6  <b>mobility-impaired</b> [14] - 20:13, 63:21, 64:18, 64:21, 65:5, 65:13, 65:20, 65:25, 66:13, 66:21, 67:10, 67:14, 68:4, 76:6  <b>model</b> [4] - 52:16, 71:23, 72:20, 73:18  <b>modeled</b> [1] - 74:11  <b>modification</b> [5] - 96:13, 96:15, 101:20, 101:25, 103:2  <b>modifications</b> [1] - 85:5  <b>modified</b> [8] - 45:11, 72:22, 72:25, 83:6, 93:2, 93:4, 93:5, 93:11  <b>modify</b> [3] - 73:20, 102:1, 103:1  <b>modifying</b> [4] - 84:19, 84:24, 85:3, 85:4  <b>Molina</b> [1] - 2:11  <b>moment</b> [4] - 22:12, 22:20, 34:8, 48:18  <b>monitor</b> [3] - 19:20, 29:14, 66:16  <b>monitoring</b> [1] - 82:10  <b>month</b> [2] - 17:2, 55:2  <b>months</b> [3] - 38:16, 88:10, 99:20  <b>morning</b> [8] - 5:6, 14:15, 16:17, 40:21, 40:22, 41:8, 41:9, 76:18  <b>MORNING</b> [1] - 1:12  <b>most</b> [5] - 13:9, 14:17, 25:22, 36:22, 62:6  <b>motion</b> [13] - 4:11, 4:14, 4:19, 4:20, 4:24, 4:25, 5:1, 5:8, 5:11, 9:7, 9:21, 13:16  <b>motions</b> [3] - 4:20, 4:23, 13:19  <b>motive</b> [2] - 26:10, 90:20  <b>move</b> [21] - 13:1, 34:3, 49:1,</p>	<p>49:21, 50:7, 53:5, 54:8, 63:16, 71:18, 72:15, 80:24, 81:25, 84:9, 87:12, 89:20, 89:25, 90:8, 90:15, 107:18  <b>moved</b> [3] - 57:25, 86:14, 88:10  <b>movements</b> [1] - 21:12  <b>moving</b> [3] - 14:17, 73:16, 105:7  <b>MR</b> [133] - 3:5, 4:9, 5:3, 5:6, 6:22, 7:2, 7:7, 7:11, 7:13, 7:19, 9:5, 10:8, 12:16, 12:22, 12:24, 13:3, 13:12, 13:18, 13:24, 14:9, 14:15, 17:22, 22:10, 22:14, 22:19, 22:24, 23:19, 23:23, 24:4, 24:14, 34:11, 34:15, 34:19, 37:10, 37:22, 37:25, 39:4, 39:6, 39:10, 39:13, 39:20, 40:13, 40:16, 41:5, 41:7, 44:13, 45:3, 47:10, 48:7, 48:9, 49:9, 49:11, 52:8, 53:1, 53:6, 53:7, 54:4, 54:10, 54:11, 55:14, 56:12, 57:7, 58:1, 58:11, 59:4, 60:15, 61:12, 62:4, 63:2, 63:12, 63:17, 63:18, 65:15, 67:3, 68:2, 68:8, 68:13, 68:20, 74:2, 74:3, 74:21, 76:4, 76:19, 76:22, 78:13, 78:20, 78:22, 79:2, 79:4, 80:25, 81:1, 81:8, 81:11, 81:12, 81:21, 82:1, 85:22, 86:11, 86:16, 86:19, 87:11, 87:20, 87:22, 89:7, 89:21, 89:22, 91:6, 92:24, 93:21, 94:19, 94:21, 96:10, 99:4, 99:13, 100:13, 100:16, 101:8, 102:8, 102:10, 107:17, 107:25, 108:3, 108:12, 108:17, 110:5, 110:20, 111:10, 115:9, 117:12, 118:23, 119:14, 120:14, 120:24  <b>MS</b> [71] - 8:8, 8:12, 8:14, 9:2, 11:4, 11:19, 11:22, 12:10, 39:25, 40:3, 44:17, 44:22, 47:2, 52:2, 52:6, 53:14, 54:18, 55:25, 56:23, 57:14, 58:6, 58:20, 59:15, 60:25, 61:19, 62:20, 63:7, 65:7, 66:23, 67:16, 68:7, 73:25, 74:7, 75:24, 80:22, 81:5, 81:19, 86:1, 86:4, 86:6, 86:8, 86:10, 87:16, 88:21, 89:19, 91:2, 92:19, 93:17, 96:4, 98:19, 98:23, 99:9, 101:1, 104:18, 107:23, 108:1, 110:1, 110:10, 110:13, 111:2, 114:25,</p>	<p>115:2, 115:19, 117:6, 117:16, 117:18, 119:10, 119:22, 120:3, 120:9, 120:11  <b>multiple</b> [2] - 52:19, 90:7  <b>Murphy</b> [1] - 1:18  <b>must</b> [3] - 17:11, 17:16, 21:21  <b>mute</b> [1] - 12:17</p>	<p><b>next</b> [7] - 11:24, 18:22, 19:8, 31:8, 108:24, 117:22, 120:24  <b>nice</b> [2] - 7:15, 7:18  <b>Nice</b> [1] - 7:18  <b>night</b> [5] - 5:12, 37:13, 38:1, 38:3, 38:22  <b>nineteen</b> [1] - 21:19  <b>Nineteen</b> [1] - 16:20  <b>nobody</b> [1] - 115:10  <b>none</b> [5] - 25:9, 37:14, 50:22, 115:13, 119:11  <b>nonetheless</b> [1] - 16:19  <b>normal</b> [5] - 56:20, 101:18, 101:23, 102:13, 103:5  <b>normally</b> [1] - 39:16  <b>notably</b> [1] - 25:22  <b>notation</b> [1] - 118:17  <b>note</b> [2] - 15:13, 15:16  <b>notepad</b> [1] - 116:12  <b>notes</b> [16] - 83:18, 83:19, 83:20, 83:21, 116:12, 116:15, 116:16, 116:17, 116:18, 116:19, 116:20, 116:22, 116:24, 117:2, 117:4, 117:11  <b>nothing</b> [8] - 18:19, 97:11, 98:8, 108:20, 108:23, 109:2, 112:14, 113:24  <b>notwithstanding</b> [1] - 10:21  <b>novel</b> [1] - 27:19  <b>November</b> [1] - 82:5  <b>number</b> [20] - 8:3, 10:1, 11:17, 13:9, 15:4, 16:14, 16:19, 20:9, 32:14, 33:4, 37:14, 41:23, 42:1, 44:5, 53:20, 64:17, 75:10, 80:7, 93:19  <b>numbers</b> [12] - 7:23, 7:24, 9:25, 15:3, 16:25, 21:1, 36:12, 36:16, 37:15, 37:18, 46:11, 69:8  <b>nurses</b> [1] - 70:1  <b>nursing</b> [1] - 21:16</p>
		<b>N</b>	
		<p><b>name</b> [2] - 22:25, 113:23  <b>named</b> [1] - 25:1  <b>names</b> [2] - 10:25, 87:3  <b>narrow</b> [2] - 46:2, 63:6  <b>narrowed</b> [1] - 6:8  <b>national</b> [1] - 92:8  <b>natural</b> [1] - 29:3  <b>nature</b> [2] - 38:10, 72:21  <b>necessarily</b> [6] - 26:18, 61:24, 64:2, 98:8, 101:19, 102:21  <b>necessary</b> [7] - 53:23, 57:3, 58:15, 58:16, 98:15, 104:11, 104:15  <b>necessitated</b> [1] - 33:8  <b>need</b> [31] - 4:21, 5:1, 5:18, 6:16, 9:17, 12:11, 15:25, 16:21, 21:8, 30:16, 39:21, 43:16, 52:12, 52:23, 54:3, 66:3, 66:10, 66:11, 66:17, 67:21, 78:6, 80:23, 80:24, 84:11, 85:1, 86:21, 95:16, 95:23, 101:19  <b>needed</b> [14] - 17:7, 22:4, 30:16, 43:13, 43:19, 66:6, 84:9, 85:19, 89:1, 98:12, 98:18, 101:20, 101:22, 102:13  <b>needs</b> [5] - 22:1, 58:25, 66:13, 81:24, 95:22  <b>negative</b> [12] - 7:25, 11:16, 11:25, 12:3, 32:3, 46:13, 50:17, 50:18, 50:22, 51:2, 114:17, 115:7  <b>negatives</b> [2] - 50:15, 50:25  <b>negativity</b> [1] - 46:10  <b>Nevada</b> [2] - 33:6, 33:8  <b>never</b> [16] - 57:20, 66:20, 68:3, 89:8, 89:13, 89:16, 90:4, 90:5, 90:24, 93:4, 97:14, 104:2, 104:5, 117:4, 118:12  <b>nevertheless</b> [1] - 15:6  <b>New</b> [1] - 21:16  <b>new</b> [15] - 9:23, 26:6, 27:18, 38:5, 38:9, 55:21, 57:9, 57:11, 57:25, 58:3, 70:19, 81:22, 97:20, 116:5</p>	
		<b>O</b>	
		<p><b>o'clock</b> [3] - 38:3, 38:22, 121:2  <b>oath</b> [2] - 40:18, 40:24  <b>object</b> [2] - 86:5, 119:14  <b>objected</b> [1] - 67:4  <b>objecting</b> [1] - 44:24  <b>objection</b> [67] - 4:8, 4:9, 39:9, 44:14, 44:15, 44:17, 44:21, 44:23, 47:2, 52:2, 53:14, 54:18, 55:25, 56:23, 57:14, 58:6, 58:20, 59:15, 60:25, 61:19, 62:20, 63:7, 65:7, 65:10, 66:23, 66:25,</p>	



<p>67:16, 68:7, 68:10, 73:25, 74:7, 75:24, 80:22, 81:5, 81:19, 85:24, 85:25, 86:1, 86:3, 86:7, 87:14, 87:19, 87:20, 88:21, 89:19, 91:2, 92:19, 93:17, 96:4, 98:19, 99:9, 101:1, 104:18, 107:19, 107:20, 107:21, 108:1, 108:2, 110:1, 110:10, 111:2, 114:25, 115:19, 117:6, 118:25, 119:1, 119:13</p> <p><b>observation</b> [1] - 106:11</p> <p><b>observe</b> [1] - 19:21</p> <p><b>obtain</b> [2] - 9:4, 16:23</p> <p><b>obviously</b> [8] - 47:24, 50:25, 57:17, 62:2, 82:14, 83:4, 103:24, 109:12</p> <p><b>occupancy</b> [2] - 88:13, 88:16</p> <p><b>occurred</b> [5] - 25:23, 26:1, 29:21, 45:16, 113:24</p> <p><b>occurring</b> [1] - 25:25</p> <p><b>October</b> [1] - 82:5</p> <p><b>OF</b> [5] - 1:2, 1:8, 1:10, 2:13, 3:1</p> <p><b>offender</b> [22] - 26:13, 30:20, 42:23, 55:4, 61:4, 65:1, 66:3, 66:6, 67:19, 77:3, 77:7, 106:23, 107:1, 107:4, 107:10, 108:19, 109:2, 109:6, 109:10, 113:11</p> <p><b>offenders</b> [78] - 7:25, 8:1, 9:13, 12:3, 18:6, 19:3, 25:3, 25:9, 26:19, 28:23, 29:8, 30:18, 30:23, 31:9, 31:11, 31:13, 31:14, 31:16, 31:19, 31:22, 31:23, 32:1, 32:6, 32:7, 32:11, 33:14, 33:20, 34:1, 34:25, 36:7, 44:8, 46:9, 46:11, 46:17, 46:20, 47:8, 48:24, 50:23, 53:19, 55:2, 55:6, 57:19, 60:9, 61:25, 64:3, 64:4, 65:13, 66:17, 67:21, 70:16, 73:4, 75:16, 75:17, 76:14, 78:8, 80:4, 80:12, 80:13, 85:1, 85:19, 89:10, 89:15, 90:8, 90:10, 90:11, 98:4, 105:18, 105:19, 105:20, 107:6, 109:11, 111:17, 111:18, 116:2, 116:5</p> <p><b>offer</b> [2] - 47:5, 85:23</p> <p><b>offered</b> [1] - 47:3</p> <p><b>OFFICE</b> [1] - 2:13</p> <p><b>office</b> [5] - 7:15, 9:13, 23:1, 25:25, 84:2</p> <p><b>Office</b> [2] - 22:11, 101:6</p> <p><b>officer</b> [1] - 61:14</p> <p><b>officers</b> [6] - 19:20, 26:14, 26:18, 31:16, 112:21,</p>	<p>112:22</p> <p><b>official</b> [2] - 13:5, 15:4</p> <p><b>officials'</b> [1] - 17:16</p> <p><b>often</b> [5] - 7:22, 17:25, 18:24, 33:20, 79:6</p> <p><b>old</b> [5] - 97:8, 99:6, 99:16, 100:6, 100:19</p> <p><b>older</b> [3] - 42:21, 43:5, 97:24</p> <p><b>omission</b> [2] - 11:1, 11:2</p> <p><b>ON</b> [2] - 3:5, 41:6</p> <p><b>once</b> [1] - 117:24</p> <p><b>one</b> [66] - 9:22, 11:20, 14:4, 14:17, 17:11, 18:8, 18:13, 19:14, 19:25, 20:16, 20:23, 21:3, 21:20, 22:11, 22:20, 24:11, 25:7, 25:8, 25:14, 25:15, 26:16, 26:17, 26:20, 32:17, 32:21, 34:8, 35:7, 35:12, 37:3, 37:22, 41:21, 50:11, 52:12, 52:18, 53:20, 55:1, 59:23, 60:3, 64:24, 66:4, 67:2, 72:1, 74:4, 75:10, 77:10, 80:7, 83:18, 84:3, 89:3, 90:7, 90:8, 90:14, 99:14, 99:23, 103:23, 105:14, 109:24, 113:15, 113:22, 120:19</p> <p><b>one-size-fits-all</b> [1] - 20:23</p> <p><b>ones</b> [1] - 87:8</p> <p><b>open</b> [2] - 86:14, 105:7</p> <p><b>opening</b> [16] - 4:5, 12:8, 12:12, 12:15, 13:1, 13:23, 14:10, 68:21, 68:24, 69:5, 69:11, 78:23, 79:3, 80:15, 90:19</p> <p><b>operation</b> [2] - 41:17, 42:12</p> <p><b>operationalize</b> [1] - 82:8</p> <p><b>operations</b> [1] - 9:11</p> <p><b>opinion</b> [2] - 47:2, 47:5</p> <p><b>opportunity</b> [3] - 32:12, 81:15, 82:13</p> <p><b>order</b> [9] - 13:4, 28:22, 29:9, 30:22, 31:7, 31:15, 31:18, 33:13, 46:7</p> <p><b>ordered</b> [3] - 10:13, 10:16, 16:2</p> <p><b>organize</b> [1] - 29:7</p> <p><b>original</b> [5] - 17:4, 17:6, 17:8, 28:3, 97:22</p> <p><b>ourselves</b> [1] - 21:17</p> <p><b>outbreak</b> [5] - 18:21, 18:23, 54:17, 56:22, 59:14</p> <p><b>outlets</b> [2] - 85:9, 88:19</p> <p><b>outset</b> [1] - 7:21</p> <p><b>outside</b> [10] - 28:24, 47:23, 55:11, 75:3, 75:17, 84:7, 111:23, 112:5, 115:12, 116:11</p> <p><b>overall</b> [1] - 116:7</p> <p><b>overbroad</b> [4] - 73:25, 74:7,</p>	<p>101:2, 104:18</p> <p><b>overnight</b> [1] - 9:15</p> <p><b>override</b> [2] - 65:9, 68:10</p> <p><b>overruled</b> [3] - 66:25, 99:10, 110:2</p> <p><b>oversee</b> [2] - 41:15, 43:24</p> <p><b>oversight</b> [1] - 77:12</p> <p><b>own</b> [11] - 6:5, 18:4, 19:5, 20:15, 25:12, 31:24, 32:5, 55:20, 82:20, 86:15, 119:16</p> <p><b>oxygen</b> [1] - 85:10</p>	<p><b>packed</b> [1] - 15:15</p> <p><b>Page</b> [1] - 3:2</p> <p><b>page</b> [9] - 9:10, 37:16, 49:10, 94:20, 100:14, 102:8, 108:12</p> <p><b>pages</b> [1] - 38:6</p> <p><b>pain</b> [1] - 24:21</p> <p><b>pamphlet</b> [1] - 30:20</p> <p><b>pamphlets</b> [1] - 35:4</p> <p><b>pandemic</b> [18] - 16:24, 17:8, 20:22, 21:23, 27:1, 30:3, 33:6, 38:15, 43:8, 53:13, 57:10, 58:19, 60:19, 60:20, 60:23, 64:23, 77:19, 82:14</p> <p><b>paper</b> [3] - 56:20, 57:2, 57:4</p> <p><b>part</b> [6] - 19:19, 106:21, 106:24, 107:8, 112:11, 113:5</p> <p><b>participated</b> [2] - 27:17, 28:19</p> <p><b>particular</b> [1] - 65:24</p> <p><b>parties</b> [5] - 4:18, 40:5, 40:7, 40:8, 40:10</p> <p><b>partners</b> [7] - 27:5, 29:22, 52:16, 52:17, 66:4, 72:8, 92:2</p> <p><b>partnership</b> [1] - 74:13</p> <p><b>pass</b> [4] - 36:1, 117:12, 120:9, 120:10</p> <p><b>passed</b> [7] - 18:8, 18:11, 25:4, 71:1, 108:9, 111:13, 111:14</p> <p><b>passive</b> [1] - 10:20</p> <p><b>past</b> [3] - 29:2, 50:1, 50:22</p> <p><b>pay</b> [1] - 17:25</p> <p><b>paying</b> [1] - 20:25</p> <p><b>people</b> [29] - 6:16, 6:20, 7:2, 10:7, 10:8, 11:24, 16:20, 26:6, 28:23, 36:1, 36:3, 36:5, 36:10, 42:16, 46:13, 68:4, 87:3, 89:25, 98:11, 99:6, 105:7, 105:8, 109:7, 112:15, 113:6, 114:19, 115:12, 119:3</p> <p><b>people's</b> [1] - 115:25</p> <p><b>per</b> [2] - 32:8, 36:17</p> <p><b>percent</b> [9] - 16:12, 16:13, 16:14, 18:25, 21:2, 21:4, 21:20, 33:1, 79:10</p> <p><b>percentage</b> [1] - 70:16</p> <p><b>percipient</b> [1] - 39:8</p> <p><b>perform</b> [5] - 20:1, 61:15, 105:17, 105:23, 105:25</p> <p><b>performed</b> [2] - 12:2, 35:24</p> <p><b>performing</b> [2] - 19:3, 55:22</p> <p><b>perhaps</b> [2] - 45:25, 121:1</p> <p><b>period</b> [3] - 61:17, 77:19, 107:14</p> <p><b>permanent</b> [3] - 22:4, 72:20, 102:23</p>
---	---	---	--

<p><b>permitted</b> [1] - 19:19</p> <p><b>person</b> [10] - 6:23, 7:16, 23:6, 25:2, 28:21, 40:14, 40:16, 44:25, 64:1, 111:6</p> <p><b>personal</b> [11] - 31:1, 44:17, 44:23, 66:23, 67:5, 67:8, 88:21, 110:13, 110:15, 115:2, 117:6</p> <p><b>personally</b> [13] - 69:21, 77:14, 78:3, 82:6, 82:22, 83:10, 83:21, 91:4, 104:4, 104:9, 105:20, 106:4, 114:14</p> <p><b>personnel</b> [1] - 18:17</p> <p><b>persuade</b> [3] - 26:8, 26:9, 37:4</p> <p><b>phase</b> [3] - 93:25, 94:24, 95:13</p> <p><b>phone</b> [2] - 4:13, 11:6</p> <p><b>physicians</b> [1] - 70:1</p> <p><b>pick</b> [2] - 24:5, 24:10</p> <p><b>pill</b> [2] - 31:17, 31:23</p> <p><b>place</b> [24] - 15:18, 16:3, 28:23, 56:10, 56:14, 56:17, 57:11, 57:24, 58:4, 58:24, 61:3, 61:6, 61:9, 62:1, 69:8, 70:2, 73:5, 76:17, 78:7, 97:11, 97:12, 101:21, 118:7, 118:13</p> <p><b>placed</b> [1] - 106:11</p> <p><b>placement</b> [1] - 116:2</p> <p><b>places</b> [2] - 31:5, 79:17</p> <p><b>Plaintiff</b> [3] - 4:7, 5:2, 39:20</p> <p><b>Plaintiffs</b> [16] - 1:5, 4:6, 11:13, 13:25, 21:6, 22:2, 33:11, 36:24, 37:4, 37:11, 39:4, 41:2, 56:18, 78:20, 115:20</p> <p><b>plaintiffs</b> [1] - 120:24</p> <p><b>PLAINTIFFS</b> [3] - 1:15, 2:3, 3:3</p> <p><b>Plaintiffs'</b> [18] - 5:1, 12:15, 14:3, 15:11, 25:16, 35:13, 37:25, 38:1, 38:12, 79:3, 85:23, 87:12, 91:5, 91:19, 107:17, 108:12, 113:19</p> <p><b>plaintiffs'</b> [1] - 38:2</p> <p><b>plan</b> [45] - 16:1, 16:3, 29:19, 42:20, 48:20, 49:6, 49:13, 49:21, 49:23, 50:3, 50:4, 50:7, 50:14, 50:20, 51:8, 51:11, 51:15, 51:22, 51:23, 52:1, 52:19, 52:22, 59:24, 72:10, 72:14, 72:16, 72:17, 72:25, 73:7, 73:16, 75:1, 82:3, 82:16, 83:4, 83:5, 83:8, 103:11, 103:24, 103:25, 104:2, 104:3, 104:20, 104:25, 105:4</p> <p><b>planning</b> [1] - 43:2</p>	<p><b>plans</b> [7] - 50:12, 82:6, 82:12, 82:19, 82:23, 83:10, 103:14</p> <p><b>plastic</b> [1] - 31:4</p> <p><b>play</b> [2] - 48:7, 61:7</p> <p><b>pled</b> [1] - 115:20</p> <p><b>PO</b> [1] - 2:13</p> <p><b>pocket</b> [1] - 30:21</p> <p><b>point</b> [5] - 35:12, 37:22, 51:12, 60:3, 88:14</p> <p><b>policies</b> [8] - 18:1, 18:4, 42:17, 74:5, 74:11, 74:16, 100:9, 106:2</p> <p><b>policy</b> [69] - 17:4, 17:6, 17:7, 17:8, 17:23, 17:24, 18:6, 18:19, 18:20, 20:23, 27:6, 27:18, 27:23, 28:2, 28:4, 33:23, 35:14, 36:12, 36:13, 44:6, 45:8, 54:5, 68:25, 69:15, 69:17, 69:18, 69:19, 69:22, 70:4, 70:18, 72:18, 75:3, 93:3, 93:5, 95:12, 95:14, 95:18, 95:19, 96:1, 96:6, 97:9, 97:11, 97:12, 97:13, 97:22, 97:24, 98:2, 98:14, 98:18, 99:6, 99:16, 100:6, 100:9, 100:19, 100:21, 101:11, 101:17, 101:20, 102:1, 102:11, 102:15, 102:22, 103:1, 103:2, 105:16, 105:23, 106:4</p> <p><b>Policy</b> [1] - 27:21</p> <p><b>population</b> [13] - 11:18, 20:22, 26:13, 43:5, 50:17, 51:1, 55:4, 60:7, 65:1, 70:11, 84:20, 85:2, 116:7</p> <p><b>populations</b> [5] - 48:2, 61:5, 71:24, 72:10, 108:19</p> <p><b>poses</b> [2] - 32:24, 75:19</p> <p><b>posing</b> [1] - 17:12</p> <p><b>position</b> [3] - 5:19, 6:14, 41:13</p> <p><b>positive</b> [31] - 6:7, 6:20, 6:25, 8:1, 8:2, 16:12, 16:17, 18:6, 18:14, 21:2, 25:3, 25:5, 29:10, 31:6, 31:25, 36:7, 46:12, 50:23, 50:24, 51:1, 51:3, 61:15, 70:22, 73:4, 73:5, 106:8, 114:20, 115:8, 117:21, 117:24</p> <p><b>positives</b> [7] - 8:3, 16:18, 50:16, 50:19, 51:6, 73:19, 115:5</p> <p><b>positivity</b> [3] - 16:11, 16:13, 46:10</p> <p><b>possible</b> [4] - 14:20, 52:18, 59:9, 90:9</p> <p><b>possibly</b> [1] - 76:9</p> <p><b>post</b> [2] - 4:17, 60:17</p>	<p><b>post-trial</b> [1] - 4:17</p> <p><b>posted</b> [4] - 27:21, 30:21, 34:25, 78:24</p> <p><b>posters</b> [3] - 30:17, 34:5, 35:4</p> <p><b>posting</b> [2] - 79:6, 79:11</p> <p><b>potentially</b> [2] - 59:1, 76:9</p> <p><b>powerpoint</b> [2] - 22:22, 34:12</p> <p><b>PPE</b> [4] - 31:1, 31:2, 31:4, 35:9</p> <p><b>practice</b> [10] - 30:19, 31:15, 32:22, 58:23, 75:3, 106:7, 106:22, 106:25, 107:9</p> <p><b>practices</b> [3] - 28:18, 66:16, 74:19</p> <p><b>pre</b> [2] - 37:9, 37:11</p> <p><b>pre-admit</b> [2] - 37:9, 37:11</p> <p><b>precautionary</b> [6] - 31:8, 31:9, 31:10, 31:14, 31:17, 31:18</p> <p><b>preclude</b> [1] - 39:7</p> <p><b>precluded</b> [1] - 39:14</p> <p><b>preexisting</b> [1] - 42:23</p> <p><b>preference</b> [1] - 120:20</p> <p><b>preliminarily</b> [1] - 16:7</p> <p><b>preliminary</b> [4] - 4:4, 15:13, 15:20, 19:6</p> <p><b>premises</b> [1] - 40:20</p> <p><b>prepared</b> [2] - 27:7, 30:20</p> <p><b>present</b> [1] - 31:20</p> <p><b>presentation</b> [1] - 39:2</p> <p><b>prevent</b> [7] - 15:15, 17:11, 35:1, 43:13, 43:19, 53:21, 64:24</p> <p><b>preventing</b> [2] - 63:23, 73:23</p> <p><b>preview</b> [1] - 18:5</p> <p><b>previous</b> [2] - 117:25, 118:12</p> <p><b>previously</b> [4] - 5:23, 11:25, 12:3, 31:10</p> <p><b>price</b> [1] - 20:25</p> <p><b>primarily</b> [1] - 47:22</p> <p><b>prison</b> [15] - 7:3, 7:4, 7:8, 7:9, 9:11, 14:25, 17:16, 20:20, 41:18, 43:23, 58:14, 59:22, 90:25, 91:12, 92:17</p> <p><b>prisoners</b> [5] - 21:21, 57:9, 57:11, 57:12, 58:3</p> <p><b>prisons</b> [11] - 7:5, 14:21, 16:12, 16:15, 41:19, 41:21, 41:24, 42:2, 42:5, 43:5, 69:12</p> <p><b>privilege</b> [1] - 63:7</p> <p><b>privileged</b> [1] - 65:8</p> <p><b>proactive</b> [5] - 45:13, 97:15, 99:2, 99:5, 100:10</p> <p><b>problem</b> [6] - 6:1, 8:7, 23:20, 38:2, 40:2, 118:17</p> <p><b>problems</b> [1] - 33:5</p> <p><b>procedure</b> [9] - 13:6, 16:23,</p>	<p>54:23, 95:14, 118:6, 118:7, 118:13, 120:5, 120:6</p> <p><b>proceed</b> [4] - 10:23, 13:23, 40:9, 78:21</p> <p><b>PROCEEDINGS</b> [3] - 1:10, 1:24, 4:1</p> <p><b>proceedings</b> [1] - 121:10</p> <p><b>process</b> [17] - 17:3, 46:11, 55:1, 55:9, 60:12, 73:4, 84:24, 95:14, 95:23, 97:17, 101:18, 101:23, 102:13, 102:22, 102:25, 103:5, 103:10</p> <p><b>processing</b> [1] - 95:12</p> <p><b>proclamation</b> [1] - 29:21</p> <p><b>produce</b> [1] - 10:13</p> <p><b>PRODUCED</b> [1] - 1:25</p> <p><b>produced</b> [6] - 16:18, 28:16, 85:21, 107:25, 117:4, 117:7</p> <p><b>produces</b> [1] - 32:5</p> <p><b>product</b> [1] - 77:13</p> <p><b>professionals</b> [4] - 27:10, 71:22, 90:25, 91:1</p> <p><b>professions</b> [1] - 67:19</p> <p><b>program</b> [1] - 115:24</p> <p><b>programs</b> [2] - 116:1, 116:3</p> <p><b>prohibition</b> [2] - 57:9, 58:3</p> <p><b>prolonged</b> [1] - 107:10</p> <p><b>prompt</b> [3] - 29:16, 30:10, 30:16</p> <p><b>promptly</b> [3] - 26:12, 30:4, 36:20</p> <p><b>prompts</b> [1] - 117:19</p> <p><b>proper</b> [1] - 28:18</p> <p><b>protect</b> [12] - 15:10, 22:3, 26:16, 26:18, 26:19, 26:20, 30:24, 33:14, 60:18, 60:20</p> <p><b>protecting</b> [1] - 26:16</p> <p><b>protection</b> [2] - 44:11, 45:5</p> <p><b>protective</b> [3] - 21:10, 31:1, 114:4</p> <p><b>protocol</b> [11] - 57:24, 61:9, 61:25, 72:5, 97:17, 100:1, 102:21, 102:24, 106:13, 106:14, 113:5</p> <p><b>protocols</b> [16] - 30:1, 53:18, 56:9, 56:13, 56:16, 56:17, 57:1, 66:16, 67:20, 69:8, 72:22, 75:2, 78:6, 96:14, 101:21, 102:2</p> <p><b>prove</b> [1] - 20:16</p> <p><b>provide</b> [35] - 5:21, 7:11, 7:16, 7:20, 9:4, 9:9, 33:12, 53:9, 53:19, 53:22, 54:13, 54:23, 54:25, 55:16, 55:21, 56:18, 58:16, 61:4, 63:25, 64:25, 65:21, 66:1, 67:21, 67:22, 68:6, 76:10, 84:2, 89:9, 89:15, 92:5, 92:13,</p>
---	---	--	---

<p>94:7, 114:13, 116:16  <b>provided</b> [13] - 4:16, 8:16, 8:23, 10:14, 17:9, 20:10, 38:7, 53:22, 53:24, 54:15, 91:18, 101:6, 117:10  <b>providers</b> [4] - 49:20, 50:6, 67:25, 76:15  <b>providers'</b> [1] - 48:25  <b>providing</b> [6] - 15:9, 20:8, 60:19, 63:20, 67:13, 84:1  <b>published</b> [2] - 27:25, 29:18  <b>pull</b> [3] - 22:19, 34:12, 34:15  <b>pulled</b> [1] - 9:22  <b>purport</b> [1] - 5:14  <b>purpose</b> [4] - 11:12, 45:12, 84:14, 119:20  <b>purposeful</b> [1] - 23:12  <b>purposefully</b> [1] - 32:1  <b>purposely</b> [2] - 24:17, 27:6  <b>pursuant</b> [1] - 13:5  <b>pursue</b> [1] - 71:23  <b>put</b> [23] - 14:10, 15:18, 16:3, 18:14, 19:4, 19:11, 45:25, 49:9, 72:17, 79:2, 80:9, 84:19, 85:22, 87:11, 90:16, 94:19, 100:13, 101:21, 102:8, 107:17, 111:18, 113:7, 119:18  <b>putting</b> [1] - 119:14</p>	<p>58:10, 59:2, 60:13, 61:10, 62:2, 62:16, 63:14  <b>ramps</b> [2] - 88:19, 89:2  <b>range</b> [1] - 15:5  <b>rapidly</b> [1] - 15:22  <b>rate</b> [3] - 16:11, 16:12, 16:13  <b>ravages</b> [1] - 26:21  <b>RDR</b> [2] - 2:19, 121:16  <b>reach</b> [2] - 46:5, 92:13  <b>react</b> [1] - 98:18  <b>read</b> [11] - 56:14, 68:14, 68:17, 90:24, 91:4, 91:7, 91:11, 91:17, 92:22, 101:10, 106:16  <b>readily</b> [1] - 33:14  <b>reading</b> [1] - 119:16  <b>ready</b> [5] - 14:12, 39:2, 88:12, 88:13, 88:16  <b>real</b> [4] - 25:17, 34:3, 34:24, 35:23  <b>reality</b> [6] - 25:10, 33:4, 36:4, 36:6, 36:9, 36:10  <b>really</b> [11] - 5:19, 6:1, 17:13, 23:16, 46:15, 63:6, 73:21, 94:18, 97:11, 99:24, 113:13  <b>rearranging</b> [1] - 105:6  <b>reason</b> [12] - 14:2, 39:23, 79:14, 95:8, 97:7, 97:21, 98:14, 99:5, 100:17, 104:8, 105:5, 115:3  <b>reasonable</b> [3] - 33:11, 34:4, 36:22  <b>reasonableness</b> [1] - 36:25  <b>reasonably</b> [3] - 26:12, 32:4, 38:18  <b>reasoned</b> [1] - 36:19  <b>reasons</b> [3] - 13:9, 99:14, 109:24  <b>reassigned</b> [1] - 20:11  <b>rebottle</b> [1] - 77:10  <b>rebotting</b> [1] - 76:24  <b>rebuilt</b> [1] - 26:4  <b>receive</b> [7] - 5:12, 31:23, 54:14, 74:17, 94:5, 117:21, 117:24  <b>received</b> [7] - 5:10, 6:24, 9:12, 10:20, 37:18, 107:23, 112:13  <b>receives</b> [1] - 11:5  <b>recent</b> [2] - 33:13, 95:25  <b>recently</b> [1] - 8:8  <b>recessed</b> [2] - 78:17, 121:4  <b>recognize</b> [2] - 56:4, 108:5  <b>recognized</b> [2] - 17:5, 99:8  <b>recommend</b> [2] - 63:22, 95:15  <b>recommendation</b> [8] - 66:8, 67:22, 94:12, 94:14, 94:15, 95:1, 95:6, 95:8</p>	<p><b>recommendations</b> [4] - 36:21, 72:8, 73:23, 80:7  <b>recommended</b> [4] - 16:3, 55:17, 64:23, 80:8  <b>recommends</b> [1] - 74:19  <b>record</b> [7] - 6:10, 8:17, 54:6, 81:17, 121:10, 121:12, 121:13  <b>RECORDED</b> [1] - 1:24  <b>records</b> [8] - 5:9, 6:5, 6:7, 6:8, 6:10, 8:19, 8:22, 9:3  <b>recovered</b> [1] - 8:3  <b>recovery</b> [1] - 18:8  <b>recross</b> [1] - 120:14  <b>redirect</b> [1] - 120:13  <b>reduce</b> [2] - 97:23, 98:16  <b>reduced</b> [4] - 31:14, 97:7, 99:14, 100:17  <b>reducing</b> [2] - 18:9, 99:1  <b>referenced</b> [2] - 56:17, 78:8  <b>reflect</b> [1] - 51:16  <b>regard</b> [7] - 19:7, 20:20, 34:2, 65:20, 66:14, 77:24  <b>regarding</b> [16] - 8:19, 8:21, 8:22, 11:6, 11:10, 19:13, 20:5, 28:15, 29:23, 83:15, 95:12, 116:13, 117:21, 118:5, 118:21, 120:4  <b>regardless</b> [2] - 9:10, 10:17  <b>regional</b> [1] - 82:21  <b>regular</b> [1] - 98:7  <b>regularly</b> [1] - 61:7  <b>regulations</b> [1] - 15:17  <b>rehab</b> [1] - 22:4  <b>rejected</b> [1] - 63:20  <b>related</b> [14] - 11:11, 45:13, 46:21, 68:19, 70:4, 96:18, 96:23, 97:8, 98:4, 98:5, 99:22, 100:18, 106:2, 110:4  <b>relates</b> [13] - 52:21, 65:14, 67:19, 69:18, 73:23, 76:3, 78:6, 82:19, 82:23, 83:7, 83:11, 99:25  <b>relative</b> [1] - 33:19  <b>relaxed</b> [1] - 77:18  <b>relaxing</b> [1] - 33:17  <b>release</b> [8] - 58:15, 58:16, 115:17, 115:19, 115:23, 115:25, 116:9  <b>released</b> [3] - 7:6, 116:5, 116:8  <b>releasing</b> [1] - 115:25  <b>relevance</b> [2] - 86:8, 86:10  <b>relevant</b> [3] - 4:24, 12:7, 36:16  <b>relied</b> [4] - 26:24, 27:6, 27:11, 91:20  <b>relief</b> [1] - 16:23  <b>relocated</b> [1] - 85:19</p>	<p><b>reluctant</b> [1] - 81:3  <b>rely</b> [8] - 26:11, 26:23, 74:17, 75:2, 75:3, 90:20, 91:23, 91:24  <b>remain</b> [1] - 34:6  <b>remainder</b> [3] - 58:18, 59:13, 60:22  <b>remains</b> [2] - 55:9, 97:12  <b>remedies</b> [3] - 16:9, 16:22, 17:9  <b>remember</b> [14] - 43:12, 43:15, 43:18, 45:20, 48:3, 78:25, 83:8, 83:20, 89:2, 95:20, 100:6, 100:23, 100:24, 106:16  <b>remind</b> [1] - 68:11  <b>remodeled</b> [1] - 84:8  <b>REMOTELY</b> [2] - 1:10, 1:24  <b>remotely</b> [1] - 5:11  <b>remove</b> [1] - 33:8  <b>repair</b> [1] - 81:14  <b>repeat</b> [4] - 44:16, 47:17, 50:18, 71:12  <b>repeated</b> [8] - 16:1, 70:14, 70:19, 71:6, 71:20, 72:3, 73:8, 81:23  <b>repeating</b> [1] - 68:12  <b>rephrase</b> [1] - 74:1  <b>report</b> [3] - 13:10, 72:2, 77:7  <b>reported</b> [1] - 110:7  <b>reporter</b> [4] - 23:23, 24:7, 24:9, 68:14  <b>REPORTER</b> [13] - 2:18, 4:12, 14:1, 14:7, 14:14, 23:15, 24:3, 24:11, 44:19, 52:4, 87:15, 98:21, 119:2  <b>reporting</b> [2] - 94:5, 116:14  <b>reports</b> [4] - 42:10, 71:10, 71:12, 91:11  <b>represent</b> [9] - 10:1, 53:9, 54:12, 55:15, 57:8, 58:12, 59:5, 60:16, 61:13  <b>represented</b> [2] - 9:17, 62:5  <b>representing</b> [1] - 11:3  <b>represents</b> [1] - 10:12  <b>reprioritize</b> [1] - 48:25  <b>repugnant</b> [1] - 24:21  <b>request</b> [6] - 4:8, 13:7, 32:9, 43:20, 57:3, 93:9  <b>requested</b> [5] - 13:3, 13:5, 60:17, 61:13, 96:9  <b>requesting</b> [1] - 22:6  <b>questioned</b> [1] - 101:5  <b>require</b> [3] - 18:1, 57:17, 62:14  <b>required</b> [7] - 26:19, 59:8, 60:4, 83:3, 93:7, 96:3, 96:19  <b>requirement</b> [1] - 95:21  <b>requires</b> [4] - 18:21, 18:25,</p>
<b>Q</b>			
<p><b>qualifies</b> [1] - 71:4  <b>qualify</b> [2] - 56:6, 70:12  <b>quality</b> [1] - 121:13  <b>quantities</b> [3] - 55:18, 55:19, 71:15  <b>quarantine</b> [4] - 18:15, 31:19, 57:12, 58:4  <b>quarantining</b> [1] - 21:12  <b>questioning</b> [2] - 118:5, 118:21  <b>questions</b> [3] - 76:20, 117:14, 117:15  <b>quicker</b> [2] - 45:9, 97:18  <b>quickly</b> [10] - 34:3, 34:24, 90:1, 90:15, 98:4, 98:6, 98:10, 98:11, 99:24, 118:8  <b>quite</b> [3] - 6:4, 57:20, 64:16  <b>quote</b> [1] - 24:20</p>			
<b>R</b>			
<p><b>raging</b> [1] - 16:9  <b>raise</b> [2] - 40:19, 40:23  <b>raising</b> [2] - 43:12, 43:18  <b>Ralph</b> [1] - 2:11  <b>ramification</b> [1] - 57:6  <b>ramifications</b> [12] - 13:11, 52:14, 52:24, 54:1, 55:13,</p>			

<p>56:1, 96:7  <b>requiring</b> [3] - 14:19, 59:7, 71:10  <b>research</b> [1] - 78:2  <b>residing</b> [1] - 70:25  <b>resolution</b> [5] - 18:8, 66:18, 95:11, 95:17, 95:19  <b>resolve</b> [4] - 46:3, 94:12, 95:24, 97:18  <b>resolves</b> [1] - 95:1  <b>respect</b> [1] - 74:7  <b>respectively</b> [1] - 87:25  <b>respects</b> [1] - 44:6  <b>respiratory</b> [1] - 18:10  <b>respond</b> [14] - 25:17, 26:12, 28:14, 28:18, 30:4, 93:7, 96:16, 98:5, 98:10, 98:16, 99:24, 102:2, 118:8, 118:14  <b>responded</b> [3] - 32:4, 99:7, 118:19  <b>responding</b> [1] - 90:21  <b>responds</b> [1] - 74:5  <b>response</b> [21] - 12:13, 23:10, 27:1, 27:12, 28:1, 28:7, 29:19, 29:24, 30:16, 31:25, 32:14, 34:4, 34:6, 37:23, 79:5, 83:16, 94:8, 96:8, 118:16, 119:6, 119:8  <b>responses</b> [1] - 29:1  <b>responsibility</b> [2] - 93:24, 94:23  <b>responsible</b> [4] - 20:3, 41:17, 42:12, 42:16  <b>responsive</b> [2] - 5:11, 9:21  <b>rest</b> [1] - 55:3  <b>restriction</b> [1] - 111:18  <b>restrictions</b> [3] - 21:12, 33:17, 77:19  <b>result</b> [5] - 25:7, 61:17, 117:22, 117:24, 118:1  <b>results</b> [5] - 18:6, 32:2, 50:16, 50:17, 50:19  <b>resumed</b> [1] - 78:18  <b>retest</b> [2] - 50:18, 51:2  <b>retested</b> [1] - 50:24  <b>retesting</b> [5] - 21:11, 48:20, 49:13, 49:24, 50:3  <b>retests</b> [1] - 11:18  <b>retroactively</b> [1] - 45:17  <b>revealing</b> [1] - 62:17  <b>review</b> [5] - 68:1, 83:10, 94:4, 104:4, 106:8  <b>revision</b> [1] - 28:2  <b>RICHARD</b> [1] - 1:4  <b>rights</b> [1] - 22:3  <b>ringing</b> [1] - 4:13  <b>risk</b> [24] - 14:22, 14:23, 15:8, 17:13, 17:18, 20:22, 21:23, 22:1, 26:12, 30:23, 31:21,</p>	<p>32:5, 42:22, 75:13, 75:19, 75:23, 76:11, 82:21, 89:14, 94:4, 103:13, 103:20, 103:24  <b>risks</b> [3] - 33:19, 34:1, 35:2  <b>Rivera</b> [1] - 40:18  <b>Roach</b> [4] - 76:23, 77:2, 77:6, 77:15  <b>Rob</b> [1] - 1:18  <b>Robert</b> [1] - 23:2  <b>ROBERT</b> [1] - 1:7  <b>roll</b> [2] - 57:2, 76:7  <b>rolling</b> [2] - 34:20, 76:8  <b>room</b> [1] - 25:20  <b>Room</b> [1] - 2:19  <b>roster</b> [2] - 86:11, 86:20  <b>roughly</b> [1] - 16:15  <b>round</b> [3] - 51:17, 71:17, 71:19  <b>Rule</b> [1] - 13:6  <b>rule</b> [8] - 13:6, 39:7, 39:9, 39:10, 39:17, 40:8, 40:9, 59:23  <b>ruled</b> [1] - 81:19  <b>rules</b> [1] - 4:16  <b>ruling</b> [8] - 56:25, 57:16, 58:8, 58:22, 59:18, 61:2, 61:21, 81:21  <b>run</b> [1] - 32:9  <b>running</b> [1] - 30:11  <b>Rusk</b> [1] - 2:19</p>	<p><b>science</b> [2] - 73:17, 92:2  <b>Scofield</b> [1] - 1:17  <b>Scott</b> [1] - 2:5  <b>screen</b> [4] - 15:11, 22:19, 22:21, 112:13  <b>screening</b> [3] - 30:1, 30:2, 30:12  <b>scroll</b> [2] - 34:7, 35:3  <b>scrolling</b> [1] - 35:10  <b>seal</b> [3] - 87:17, 87:18, 87:21  <b>search</b> [1] - 6:5  <b>second</b> [6] - 17:16, 20:18, 24:11, 50:9, 87:6, 119:1  <b>secondly</b> [1] - 13:13  <b>seconds</b> [2] - 35:6, 79:7  <b>section</b> [3] - 22:3, 108:24, 109:5  <b>security</b> [6] - 18:17, 32:18, 32:24, 33:19, 80:5  <b>see</b> [44] - 7:16, 7:18, 14:2, 14:4, 14:5, 14:6, 22:15, 22:17, 22:23, 23:24, 46:5, 52:19, 65:4, 66:19, 73:3, 75:13, 77:23, 79:12, 80:10, 80:12, 86:21, 87:3, 88:2, 88:5, 95:2, 95:3, 100:24, 102:17, 108:21, 108:22, 109:2, 109:4, 109:5, 109:10, 109:21, 111:11, 111:12, 112:12, 112:20, 113:19, 115:10  <b>seeing</b> [2] - 22:21, 83:8  <b>sense</b> [4] - 16:3, 42:18, 49:25, 66:1  <b>sent</b> [4] - 5:22, 6:10, 38:4, 38:8  <b>separate</b> [5] - 46:12, 47:9, 50:25, 94:4, 95:10  <b>separation</b> [2] - 15:9, 15:15  <b>serious</b> [1] - 17:13  <b>served</b> [1] - 9:6  <b>serves</b> [1] - 92:11  <b>service</b> [1] - 18:1  <b>Services</b> [1] - 106:1  <b>services</b> [5] - 27:2, 28:10, 55:20, 55:23, 106:2  <b>SESSION</b> [1] - 1:12  <b>set</b> [5] - 28:25, 29:2, 29:6, 29:13, 65:24  <b>setting</b> [1] - 77:16  <b>seven</b> [6] - 38:2, 50:12, 51:1, 51:2, 51:4, 51:5  <b>seven-day</b> [2] - 50:12, 51:2  <b>several</b> [6] - 6:2, 10:8, 21:13, 43:7, 71:19, 110:22  <b>severe</b> [1] - 21:23  <b>share</b> [1] - 22:19  <b>Shawn</b> [5] - 2:10, 7:14, 12:18, 22:10, 23:1  <b>shawn.cowles@oag.texas.</b></p>	<p><b>gov</b> [1] - 2:15  <b>Shea</b> [1] - 2:12  <b>sheets</b> [1] - 116:17  <b>sheltered</b> [1] - 28:23  <b>shields</b> [1] - 31:4  <b>shifts</b> [1] - 19:19  <b>short</b> [2] - 15:8, 73:11  <b>shortness</b> [3] - 18:10, 18:16, 110:6  <b>show</b> [16] - 6:3, 16:18, 16:25, 17:11, 17:16, 17:18, 17:25, 29:5, 30:9, 32:8, 34:25, 36:22, 51:20, 51:22, 110:25, 120:2  <b>showed</b> [3] - 21:1, 51:14, 78:23  <b>shower</b> [2] - 32:10, 32:12  <b>showers</b> [1] - 20:12  <b>showing</b> [3] - 15:11, 87:23, 119:20  <b>shown</b> [4] - 28:17, 118:7, 118:13  <b>shows</b> [1] - 86:13  <b>sic</b> [1] - 113:22  <b>sick</b> [2] - 98:11, 99:7  <b>side</b> [9] - 25:15, 25:16, 26:7, 26:8, 26:10, 91:5, 91:19, 91:24, 92:18  <b>sidetracked</b> [1] - 75:7  <b>sign</b> [2] - 79:2, 79:14  <b>signage</b> [2] - 60:17, 61:3  <b>significant</b> [2] - 13:9, 42:25  <b>significantly</b> [1] - 42:1  <b>signs</b> [11] - 30:17, 34:5, 46:14, 46:18, 46:21, 61:6, 78:23, 79:6, 79:11, 80:9, 80:12  <b>similar</b> [2] - 29:2, 84:25  <b>simpler</b> [1] - 46:23  <b>simplify</b> [1] - 6:2  <b>simply</b> [3] - 22:2, 52:9, 84:16  <b>Simultaneous</b> [1] - 119:4  <b>single</b> [1] - 113:20  <b>sink</b> [5] - 64:7, 64:13, 66:7, 79:24, 80:2  <b>sinks</b> [1] - 64:2  <b>sitting</b> [2] - 4:21, 13:20  <b>situation</b> [2] - 38:15, 97:14  <b>six</b> [7] - 16:14, 28:3, 59:7, 59:23, 78:2, 107:10, 107:14  <b>six-foot</b> [2] - 59:23, 107:14  <b>size</b> [2] - 20:23  <b>sleeping</b> [1] - 105:8  <b>slide</b> [2] - 18:22, 19:8  <b>slides</b> [2] - 14:10, 34:24  <b>slow</b> [6] - 97:9, 97:24, 98:2, 99:16, 99:18, 100:19  <b>small</b> [4] - 6:9, 63:25, 64:6,</p>
<b>S</b>			
<p><b>safeguards</b> [1] - 16:4  <b>safety</b> [1] - 42:4  <b>sanitizer</b> [50] - 21:9, 32:19, 32:21, 32:24, 32:25, 33:3, 33:7, 33:9, 33:12, 33:18, 34:2, 45:24, 46:2, 63:19, 63:20, 63:24, 63:25, 64:4, 64:7, 66:2, 67:15, 67:23, 68:6, 75:7, 75:9, 75:23, 76:11, 76:20, 76:24, 76:25, 77:3, 77:8, 77:16, 77:19, 77:24, 78:1, 78:3, 78:8, 78:10, 79:10, 79:13, 79:16, 79:18, 79:19, 79:20, 80:2, 80:4, 80:6, 80:11, 80:13  <b>sanitizers</b> [1] - 33:13  <b>Saturday</b> [2] - 5:24, 10:14  <b>save</b> [4] - 17:24, 22:5, 36:2, 36:17  <b>saved</b> [1] - 36:17  <b>saw</b> [2] - 112:15, 112:18  <b>scale</b> [1] - 52:23  <b>schedule</b> [4] - 4:10, 4:14, 4:15, 4:17  <b>scheduled</b> [3] - 38:8, 38:21, 115:23</p>			



<p>66:2  <b>snapshot</b> [1] - 5:22  <b>soap</b> [28] - 20:8, 21:9, 32:5, 32:6, 32:8, 32:10, 33:14, 33:16, 33:20, 34:2, 35:6, 35:7, 53:10, 53:19, 53:20, 53:22, 53:23, 63:23, 63:24, 64:2, 79:9, 79:12, 79:16, 79:18, 79:21, 80:7, 80:11  <b>social</b> [33] - 14:19, 31:11, 31:15, 32:15, 58:17, 59:6, 59:11, 59:17, 59:22, 82:4, 82:9, 82:17, 82:19, 82:23, 83:2, 83:4, 83:9, 83:11, 85:18, 90:16, 103:9, 103:12, 103:18, 103:23, 104:11, 104:16, 104:21, 104:22, 105:3, 105:10, 115:17  <b>solution</b> [2] - 18:25, 94:6  <b>someone</b> [2] - 47:25, 112:4  <b>sometime</b> [4] - 57:21, 61:6, 83:23, 115:7  <b>sometimes</b> [2] - 72:22, 113:6  <b>somewhat</b> [1] - 44:13  <b>sooner</b> [1] - 118:18  <b>sorry</b> [21] - 4:12, 12:24, 14:1, 14:8, 24:7, 25:23, 26:1, 44:19, 47:17, 52:4, 59:20, 68:11, 75:21, 81:6, 90:17, 98:21, 103:16, 104:13, 110:17, 119:2  <b>sort</b> [1] - 5:23  <b>sought</b> [1] - 16:6  <b>sounds</b> [2] - 25:22, 25:25  <b>source</b> [1] - 109:6  <b>sources</b> [1] - 74:18  <b>SOUTHERN</b> [1] - 1:2  <b>space</b> [8] - 20:12, 60:8, 85:9, 88:8, 88:18, 88:20, 89:10, 90:7  <b>spaces</b> [3] - 59:23, 88:9, 88:10  <b>spark</b> [1] - 15:24  <b>speaking</b> [4] - 8:10, 44:19, 119:4  <b>specific</b> [42] - 6:6, 42:7, 43:16, 43:20, 45:11, 49:23, 59:25, 64:15, 65:4, 65:11, 65:13, 68:19, 69:15, 69:20, 69:23, 70:9, 70:19, 71:3, 75:22, 76:3, 76:5, 76:13, 82:19, 83:6, 83:25, 85:4, 89:1, 90:6, 90:17, 93:6, 95:20, 96:22, 96:24, 97:25, 102:3, 104:24, 105:23, 106:2, 115:11, 118:10, 118:17  <b>specifically</b> [33] - 45:7, 48:6, 52:20, 57:3, 62:22, 62:25,</p>	<p>66:15, 66:16, 67:1, 69:7, 70:15, 71:12, 72:5, 75:13, 77:4, 78:9, 84:18, 86:13, 87:10, 89:6, 89:11, 89:17, 91:14, 93:19, 93:23, 95:22, 105:10, 105:13, 105:14, 105:22, 108:6, 113:12, 114:9  <b>speculating</b> [2] - 67:5, 75:5  <b>speculation</b> [7] - 66:24, 67:4, 80:22, 81:5, 98:20, 98:24, 110:1  <b>spend</b> [1] - 4:22  <b>spent</b> [1] - 19:2  <b>spread</b> [10] - 15:22, 35:1, 43:13, 43:19, 46:8, 47:1, 47:11, 47:16, 47:20, 48:13  <b>spreading</b> [2] - 60:9, 85:7  <b>staff</b> [44] - 19:3, 20:14, 26:14, 26:18, 32:7, 41:23, 42:4, 42:7, 50:23, 51:7, 54:13, 61:4, 61:14, 61:25, 63:25, 64:6, 64:12, 64:16, 66:4, 76:25, 79:15, 79:17, 79:19, 79:20, 79:22, 79:23, 84:22, 89:23, 92:9, 93:7, 93:8, 96:1, 105:18, 105:24, 105:25, 107:7, 107:10, 109:1, 113:3, 114:1, 114:2, 115:13  <b>Stalder</b> [1] - 24:19  <b>stand</b> [5] - 72:24, 95:4, 100:25, 101:9, 103:4  <b>standard</b> [8] - 4:15, 21:17, 35:16, 35:22, 36:15, 36:25, 37:1  <b>stands</b> [1] - 102:1  <b>start</b> [16] - 5:2, 11:23, 12:8, 14:1, 20:22, 26:10, 33:2, 34:22, 37:16, 38:22, 44:1, 46:6, 105:19, 108:15, 121:1  <b>started</b> [5] - 4:5, 54:1, 71:13, 77:22, 106:19  <b>starting</b> [2] - 108:18, 108:25  <b>state</b> [8] - 16:11, 27:13, 28:10, 41:19, 71:14, 75:17, 77:25, 95:22  <b>statement</b> [1] - 12:15  <b>statements</b> [6] - 4:5, 12:9, 12:12, 13:1, 13:21, 13:23  <b>states</b> [10] - 5:12, 25:12, 75:5, 77:18, 77:23, 78:1, 78:2, 78:4, 78:5, 78:9  <b>STATES</b> [1] - 1:1  <b>States</b> [2] - 25:13, 37:2  <b>statewide</b> [1] - 29:20  <b>station</b> [1] - 64:10  <b>statistics</b> [1] - 15:4  <b>status</b> [1] - 49:2</p>	<p><b>stay</b> [4] - 14:20, 16:7, 17:2, 30:11  <b>stayed</b> [1] - 9:14  <b>STENOGRAPHIC</b> [1] - 1:24  <b>Step</b> [3] - 96:16, 97:5, 97:6  <b>step</b> [14] - 30:5, 93:12, 93:25, 94:12, 94:24, 95:1, 95:11, 95:13, 96:3, 96:11, 97:2, 120:15  <b>steps</b> [3] - 69:10, 69:11, 117:22  <b>still</b> [11] - 5:18, 7:9, 18:15, 28:17, 50:18, 52:23, 86:22, 87:7, 88:18, 97:12, 102:1  <b>stipulate</b> [1] - 5:17  <b>stockpiles</b> [1] - 31:1  <b>Stone</b> [1] - 1:17  <b>stop</b> [3] - 35:5, 37:6, 116:2  <b>stopped</b> [1] - 116:3  <b>stories</b> [1] - 75:16  <b>STRAWN</b> [1] - 1:20  <b>Street</b> [2] - 1:20, 2:6  <b>stressed</b> [1] - 15:25  <b>strict</b> [1] - 59:6  <b>Strike</b> [10] - 29:7, 29:14, 48:23, 49:17, 49:18, 50:6, 50:8, 71:17, 71:19  <b>strike</b> [9] - 11:22, 11:24, 29:6, 29:12, 70:14, 71:4, 71:6, 71:13, 72:3  <b>study</b> [3] - 75:15, 76:3, 76:5  <b>subject</b> [4] - 4:22, 39:18, 40:7, 55:9  <b>submit</b> [2] - 36:24, 38:12  <b>submitted</b> [3] - 90:24, 91:8, 91:13  <b>subpart</b> [1] - 69:24  <b>subsequent</b> [1] - 28:3  <b>subsequently</b> [3] - 29:5, 30:2, 38:7  <b>substance</b> [4] - 12:5, 33:5, 63:4, 75:18  <b>substances</b> [1] - 45:7  <b>substantial</b> [1] - 17:13  <b>sufficient</b> [2] - 55:18, 55:19  <b>suitable</b> [2] - 60:6, 94:15  <b>Suite</b> [1] - 1:21  <b>summary</b> [2] - 4:11, 4:15  <b>sunday</b> [1] - 5:11  <b>supervised</b> [1] - 77:9  <b>supplement</b> [4] - 31:4, 69:22, 70:9, 95:6  <b>supplies</b> [4] - 20:10, 32:6, 35:8, 55:16  <b>supply</b> [1] - 33:13  <b>suppose</b> [2] - 46:4, 73:11  <b>supposed</b> [4] - 32:25, 105:16, 112:2, 113:1  <b>Supreme</b> [2] - 35:17, 37:2</p>	<p><b>surely</b> [1] - 106:4  <b>surfaces</b> [2] - 18:24, 61:16  <b>surgeons</b> [2] - 36:2, 36:16  <b>surgeries</b> [2] - 35:24, 35:25  <b>surgery</b> [1] - 36:5  <b>survive</b> [1] - 21:9  <b>suspected</b> [1] - 19:1  <b>suspended</b> [1] - 28:21  <b>switch</b> [1] - 23:20  <b>sworn</b> [2] - 41:2, 91:13  <b>symptomatic</b> [3] - 18:16, 46:19, 46:20  <b>symptoms</b> [12] - 18:10, 18:11, 18:18, 35:5, 46:14, 46:18, 46:21, 60:20, 108:18, 108:25, 109:25, 110:4  <b>system</b> [16] - 21:3, 27:8, 41:18, 43:23, 46:16, 58:25, 66:3, 69:9, 69:18, 70:15, 70:23, 71:2, 71:16, 74:16, 84:25, 102:21</p>
<b>T</b>			
<p><b>table</b> [1] - 31:13  <b>talks</b> [1] - 43:7  <b>TDCJ</b> [145] - 6:9, 6:12, 8:8, 8:22, 10:11, 10:21, 11:5, 11:10, 16:6, 16:12, 16:14, 16:25, 17:3, 17:5, 17:23, 18:4, 19:7, 19:10, 20:6, 20:14, 20:21, 21:15, 21:24, 21:25, 25:8, 25:13, 25:17, 25:21, 26:4, 26:10, 26:14, 26:17, 26:18, 26:23, 26:24, 26:25, 27:5, 27:10, 27:14, 27:16, 27:23, 28:1, 28:2, 28:4, 28:6, 28:8, 28:9, 28:12, 28:15, 28:19, 28:21, 28:25, 29:2, 29:6, 29:13, 29:15, 29:19, 29:21, 30:4, 30:9, 30:14, 30:25, 31:3, 31:5, 31:16, 32:1, 32:4, 32:5, 32:12, 32:14, 33:15, 33:25, 35:19, 36:17, 39:8, 40:5, 41:11, 41:15, 41:17, 42:5, 44:6, 45:9, 45:23, 46:10, 47:4, 47:15, 47:19, 48:11, 51:14, 51:23, 53:9, 53:18, 54:13, 55:16, 56:10, 56:14, 56:18, 57:9, 58:13, 58:23, 59:6, 60:17, 60:24, 61:3, 61:9, 61:15, 62:6, 62:10, 62:11, 62:12, 63:20, 63:22, 64:20, 65:3, 66:19, 69:1, 69:5, 69:6, 69:10, 69:12, 69:18, 70:4, 70:9, 71:14, 72:11, 74:5, 76:24, 80:16, 84:4, 93:2, 94:10,</p>			

96:1, 96:2, 97:7, 105:16, 106:4, 106:7, 106:21, 108:4, 113:6, 115:22, 118:7  
**TDCJ's** [15] - 16:22, 23:9, 27:1, 27:4, 27:22, 29:11, 30:16, 33:13, 34:4, 35:14, 76:23, 83:16, 86:15, 95:12, 95:19  
**teaching** [5] - 73:14, 74:14, 75:4, 91:20, 92:5  
**team** [11] - 11:22, 11:24, 60:11, 74:16, 83:12, 89:24, 90:14, 91:22, 103:25, 104:10, 104:22  
**Team** [10] - 29:7, 29:14, 48:23, 49:17, 49:18, 50:6, 50:8, 71:17, 71:19  
**tech** [4] - 27:5, 27:10, 28:20, 92:2  
**Tech** [1] - 28:13  
**technical** [1] - 23:7  
**Technical** [2] - 23:14, 44:12  
**technological** [1] - 34:9  
**technology** [3] - 13:14, 22:14, 23:20  
**telephone** [1] - 121:12  
**temp** [1] - 82:10  
**temperature** [2] - 82:15, 83:5  
**temperatures** [5] - 82:4, 82:7, 82:17, 82:24, 83:1  
**temporary** [1] - 59:10  
**ten** [2] - 18:3, 18:25  
**Terao** [1] - 1:19  
**test** [25] - 11:24, 11:25, 12:2, 25:3, 31:25, 32:2, 46:9, 50:14, 50:16, 50:22, 50:24, 50:25, 57:11, 58:3, 58:5, 61:17, 70:24, 71:15, 71:23, 117:21, 117:24, 117:25, 118:2, 118:3  
**tested** [26] - 6:20, 7:3, 8:2, 10:2, 10:4, 10:7, 10:9, 11:20, 11:21, 11:25, 12:3, 12:4, 18:14, 25:5, 29:9, 31:6, 32:1, 36:7, 50:11, 70:21, 109:12, 111:19, 113:24, 114:17, 114:20, 115:5  
**testified** [5] - 50:2, 52:10, 88:22, 119:24, 120:6  
**testifying** [3] - 39:14, 47:5, 120:4  
**testimony** [25] - 18:3, 19:24, 20:5, 40:4, 40:6, 40:10, 40:11, 44:9, 72:2, 75:25, 91:13, 91:16, 95:4, 100:23, 100:25, 101:10, 101:14, 101:15, 103:4, 119:16, 119:17, 119:18, 119:21,

119:23, 119:24  
**testing** [48] - 11:22, 11:23, 16:1, 21:11, 29:7, 29:14, 46:7, 46:11, 46:16, 46:19, 46:20, 46:25, 47:7, 47:15, 47:19, 47:21, 47:22, 47:24, 48:2, 48:12, 48:23, 49:1, 49:17, 49:18, 49:22, 50:6, 50:8, 50:9, 50:21, 51:7, 51:17, 51:21, 52:14, 70:14, 70:20, 70:24, 71:5, 71:6, 71:11, 71:13, 71:18, 71:19, 71:20, 72:3, 72:5, 73:8, 73:13  
**tests** [14] - 7:25, 10:1, 10:5, 11:16, 11:17, 11:24, 12:2, 47:23, 49:19, 61:14, 70:23, 71:14, 115:7  
**TEXAS** [2] - 1:2, 1:8  
**Texas** [24] - 1:7, 1:21, 2:6, 2:14, 2:20, 7:14, 14:25, 16:11, 20:20, 21:17, 22:11, 23:1, 23:2, 27:5, 27:10, 28:13, 28:20, 41:10, 41:18, 43:5, 43:23, 75:17, 92:2, 92:3  
**THE** [196] [1] - 1:11, 1:15, 2:3, 2:5, 2:9, 2:13, 3:3, 4:3, 4:10, 4:12, 4:14, 5:5, 6:19, 7:1, 7:5, 7:10, 7:12, 7:18, 8:6, 8:10, 8:13, 8:24, 10:6, 11:1, 11:14, 11:20, 12:5, 12:11, 12:14, 12:19, 12:23, 13:2, 13:8, 13:17, 13:19, 14:1, 14:5, 14:7, 14:13, 14:14, 17:21, 22:8, 22:13, 22:17, 22:23, 23:15, 23:18, 23:22, 24:1, 24:3, 24:11, 34:10, 34:14, 34:17, 37:8, 37:20, 37:24, 38:25, 39:5, 39:9, 39:12, 39:16, 39:23, 40:2, 40:7, 40:14, 40:17, 40:21, 40:22, 41:3, 44:15, 44:19, 44:21, 44:24, 47:3, 47:7, 52:4, 52:11, 52:12, 53:4, 53:16, 53:18, 54:7, 54:21, 54:25, 56:3, 56:4, 56:5, 56:7, 56:8, 56:9, 56:25, 57:1, 57:16, 57:17, 58:8, 58:9, 58:22, 58:23, 59:17, 59:18, 59:20, 61:2, 61:3, 61:21, 61:22, 62:22, 62:25, 63:8, 63:9, 63:16, 65:9, 65:11, 66:25, 67:1, 67:18, 68:10, 68:11, 68:18, 74:1, 74:9, 74:11, 76:1, 76:2, 76:17, 76:21, 78:15, 78:19, 78:21, 80:23, 81:6, 81:10, 81:23, 85:24, 86:2, 86:5, 86:7, 86:9, 86:15,

86:17, 87:14, 87:15, 87:18, 87:21, 88:24, 89:1, 89:20, 91:3, 91:4, 92:21, 92:22, 93:18, 93:19, 96:5, 96:6, 98:21, 98:25, 99:1, 99:10, 99:11, 101:3, 101:4, 104:19, 104:20, 107:19, 108:2, 110:2, 110:3, 110:12, 110:15, 110:17, 110:19, 111:4, 111:5, 115:1, 115:3, 115:21, 115:22, 117:8, 117:10, 117:13, 118:25, 119:2, 119:5, 119:7, 119:9, 119:11, 119:20, 120:1, 120:10, 120:12, 120:15, 120:17, 120:18, 120:23, 121:2  
**themselves** [6] - 21:14, 30:24, 47:23, 60:18, 60:21, 96:2  
**therefore** [2] - 26:17, 46:15  
**they've** [3] - 19:4, 38:14, 67:22  
**thinks** [1] - 54:21  
**third** [1] - 29:11  
**thoroughly** [1] - 18:25  
**three** [11] - 4:18, 18:7, 18:11, 19:16, 27:8, 27:22, 38:16, 50:20, 51:8, 71:21, 99:20  
**throughout** [9] - 35:24, 53:12, 55:7, 58:25, 60:12, 64:23, 70:21, 103:10  
**Thursday** [2] - 5:21, 10:16  
**timeline** [7] - 17:6, 108:18, 108:25, 109:6, 109:7, 111:11, 112:13  
**tinder** [1] - 15:21  
**tissues** [3] - 56:19, 57:4  
**today** [5] - 25:7, 36:23, 73:17, 102:1, 120:4  
**together** [2] - 15:15, 74:15  
**toilet** [3] - 56:20, 57:2, 57:4  
**took** [7] - 28:6, 45:20, 69:10, 83:18, 83:20, 83:21, 116:17  
**top** [4] - 62:10, 72:11, 108:15, 108:16  
**total** [4] - 6:19, 6:24, 8:1, 109:11  
**touched** [1] - 18:24  
**toward** [1] - 17:17  
**towel** [1] - 53:24  
**towels** [1] - 53:11  
**tracing** [29] - 61:15, 61:23, 61:24, 105:15, 105:17, 105:24, 105:25, 106:6, 106:8, 106:22, 107:1, 107:9, 107:12, 108:4, 108:8, 109:6, 109:8, 111:5,

111:14, 111:22, 112:2, 113:2, 113:15, 113:17, 114:9, 114:11, 114:23, 117:20, 117:25  
**track** [2] - 98:8, 115:25  
**tracked** [1] - 96:24  
**traffic** [1] - 30:22  
**tragedy** [1] - 25:6  
**transcribed** [1] - 119:12  
**TRANSCRIPT** [2] - 1:10, 1:25  
**transcript** [1] - 121:9  
**TRANSCRIPTION** [1] - 1:25  
**transferring** [1] - 116:5  
**transfers** [1] - 30:15  
**transmission** [1] - 60:20  
**transmitted** [1] - 11:7  
**transport** [1] - 58:16  
**transportation** [3] - 58:13, 58:14, 58:24  
**transported** [1] - 9:14  
**treat** [1] - 20:19  
**treatments** [2] - 112:14, 112:16  
**trial** [13] - 4:17, 7:21, 13:15, 25:8, 25:15, 36:22, 38:11, 38:13, 38:16, 38:22, 44:1, 45:25, 63:6  
**TRIAL** [1] - 1:12  
**tried** [2] - 35:21, 115:11  
**trigger** [1] - 117:22  
**true** [3] - 9:18, 10:24, 26:7  
**trust** [7] - 17:13, 25:21, 26:4, 80:15, 80:21, 81:13, 81:14  
**trustee** [1] - 19:16  
**trusting** [2] - 26:8, 26:10  
**try** [4] - 46:17, 95:16, 95:23, 118:18  
**trying** [8] - 12:17, 47:16, 47:20, 48:12, 73:3, 73:19, 73:21, 88:17  
**turn** [1] - 5:4  
**turned** [4] - 54:15, 83:19, 83:21, 83:23  
**twice** [2] - 10:7, 10:9  
**two** [38] - 12:25, 17:18, 18:9, 23:9, 23:11, 24:12, 25:5, 31:14, 33:6, 33:24, 34:20, 34:23, 35:19, 44:2, 46:20, 51:8, 52:12, 61:16, 61:24, 73:14, 74:14, 75:10, 87:24, 88:10, 91:20, 92:2, 93:10, 99:24, 108:18, 108:25, 109:16, 109:17, 109:22, 111:14, 111:20, 112:4, 112:23, 113:21  
**two-week** [2] - 61:16, 61:24  
**twofold** [1] - 32:24  
**types** [1] - 6:2  
**typically** [2] - 66:9, 116:20

<p style="text-align: center;"><b>U</b></p> <p><b>ultimately</b> [6] - 42:16, 42:18, 62:14, 93:24, 94:11, 94:22</p> <p><b>unable</b> [1] - 37:12</p> <p><b>unconcerned</b> [2] - 23:13, 24:18</p> <p><b>under</b> [8] - 17:6, 17:12, 22:3, 31:9, 84:11, 87:17, 87:18, 87:21</p> <p><b>underlying</b> [2] - 9:24, 11:9</p> <p><b>understood</b> [8] - 42:19, 42:23, 43:1, 47:15, 47:19, 47:24, 48:11, 64:17</p> <p><b>undisputed</b> [2] - 23:5, 27:15</p> <p><b>unfair</b> [1] - 38:13</p> <p><b>unfortunate</b> [6] - 25:10, 26:1, 36:4, 36:6, 36:9, 36:10</p> <p><b>unfortunately</b> [5] - 16:5, 25:2, 33:6, 36:1, 37:11</p> <p><b>uninterested</b> [1] - 24:18</p> <p><b>uninterestedness</b> [1] - 23:12</p> <p><b>unique</b> [2] - 10:2, 97:20</p> <p><b>Unit</b> [152] - 5:15, 6:17, 7:24, 7:25, 8:17, 8:22, 9:13, 10:4, 11:11, 11:24, 14:22, 14:25, 15:7, 15:21, 16:9, 16:13, 18:14, 20:19, 20:21, 20:25, 21:3, 21:15, 21:20, 21:22, 22:1, 22:5, 25:2, 25:9, 25:13, 25:18, 26:13, 26:19, 26:22, 28:5, 28:9, 28:17, 28:22, 28:23, 29:9, 29:24, 29:25, 30:18, 30:22, 31:2, 31:9, 32:13, 33:4, 33:21, 34:2, 34:5, 34:6, 35:8, 36:6, 36:18, 41:21, 42:14, 42:17, 43:4, 43:10, 43:14, 43:19, 48:20, 49:13, 49:24, 50:9, 50:11, 50:20, 51:19, 52:1, 52:16, 53:9, 54:12, 55:15, 56:22, 57:8, 57:10, 57:19, 57:25, 58:4, 58:12, 58:13, 58:25, 59:5, 59:12, 60:1, 60:4, 60:16, 64:18, 65:5, 65:21, 66:1, 66:13, 66:22, 67:11, 67:14, 68:5, 69:15, 69:20, 69:23, 69:25, 70:1, 70:9, 70:11, 70:19, 71:21, 73:9, 75:8, 75:13, 75:14, 75:15, 75:16, 75:22, 76:3, 78:24, 79:6, 79:11, 82:19, 83:2, 83:9, 84:5, 84:7, 84:10, 85:5, 85:12, 85:15, 86:12, 87:8, 87:23, 88:8, 89:5, 89:9, 89:12, 90:6, 90:9, 93:16, 93:20, 94:1, 103:9, 103:15, 103:18, 104:3, 104:12, 104:16, 104:21, 104:23,</p>	<p>105:7, 105:10, 113:10, 113:11, 113:14, 114:20, 115:18</p> <p><b>unit</b> [19] - 21:20, 51:19, 60:4, 60:8, 66:5, 66:18, 69:25, 70:14, 77:9, 84:16, 90:10, 90:11, 95:7, 103:11, 104:2, 109:22, 111:21, 115:5, 115:6</p> <p><b>United</b> [2] - 25:13, 37:2</p> <p><b>UNITED</b> [1] - 1:1</p> <p><b>units</b> [12] - 18:23, 21:4, 30:15, 31:3, 45:9, 48:23, 69:1, 69:6, 70:15, 71:20, 116:4, 116:5</p> <p><b>universities</b> [7] - 46:20, 73:15, 74:14, 75:4, 91:20, 92:2, 92:5</p> <p><b>university</b> [6] - 27:4, 27:5, 28:20, 52:17, 72:7, 91:20</p> <p><b>University</b> [2] - 28:13, 92:3</p> <p><b>unless</b> [1] - 10:3</p> <p><b>unmute</b> [1] - 12:17</p> <p><b>unnecessary</b> [1] - 24:21</p> <p><b>unrestricted</b> [1] - 53:10</p> <p><b>unwritten</b> [3] - 106:7, 106:22, 107:9</p> <p><b>up</b> [45] - 13:14, 14:10, 22:19, 22:21, 24:5, 24:10, 28:25, 29:2, 29:6, 29:13, 31:12, 31:16, 31:22, 34:6, 34:12, 34:15, 34:20, 34:22, 35:4, 35:21, 39:1, 49:9, 55:3, 66:19, 71:22, 73:18, 79:2, 80:9, 85:22, 87:11, 88:24, 89:9, 94:16, 94:19, 95:25, 100:13, 102:8, 103:8, 103:17, 107:17, 108:14, 110:25, 114:19, 119:14, 119:18</p> <p><b>update</b> [3] - 7:11, 7:20, 10:10</p> <p><b>updates</b> [1] - 28:3</p> <p><b>urgent</b> [1] - 89:13</p> <p><b>US</b> [1] - 35:17</p> <p><b>useable</b> [1] - 84:13</p> <p><b>utilized</b> [1] - 84:13</p> <p><b>UTMB</b> [6] - 8:20, 9:4, 27:5, 27:10, 28:13, 28:20</p> <p><b>utmost</b> [1] - 42:5</p> <p style="text-align: center;"><b>V</b></p> <p><b>vague</b> [6] - 73:25, 91:2, 93:17, 101:1, 104:18, 114:25</p> <p><b>Valentine</b> [2] - 18:2, 120:25</p> <p><b>VALENTINE</b> [1] - 1:4</p> <p><b>validated</b> [1] - 47:24</p> <p><b>vary</b> [1] - 64:16</p> <p><b>Vasquez</b> [20] - 2:10, 8:11,</p>	<p>8:13, 8:14, 11:1, 14:6, 22:9, 39:25, 44:22, 44:24, 86:2, 87:15, 107:21, 117:14, 117:15, 119:3, 119:5, 119:7, 119:9, 119:21</p> <p><b>VASQUEZ</b> [71] - 8:8, 8:12, 8:14, 9:2, 11:4, 11:19, 11:22, 12:10, 39:25, 40:3, 44:17, 44:22, 47:2, 52:2, 52:6, 53:14, 54:18, 55:25, 56:23, 57:14, 58:6, 58:20, 59:15, 60:25, 61:19, 62:20, 63:7, 65:7, 66:23, 67:16, 68:7, 73:25, 74:7, 75:24, 80:22, 81:5, 81:19, 86:1, 86:4, 86:6, 86:8, 86:10, 87:16, 88:21, 89:19, 91:2, 92:19, 93:17, 96:4, 98:19, 98:23, 99:9, 101:1, 104:18, 107:23, 108:1, 110:1, 110:10, 110:13, 111:2, 114:25, 115:2, 115:19, 117:6, 117:16, 117:18, 119:10, 119:22, 120:3, 120:9, 120:11</p> <p><b>vast</b> [2] - 15:6, 36:3</p> <p><b>verified</b> [1] - 9:13</p> <p><b>version</b> [3] - 5:22, 28:4, 73:1</p> <p><b>versus</b> [1] - 24:19</p> <p><b>via</b> [1] - 7:16</p> <p><b>video</b> [2] - 28:16, 121:12</p> <p><b>videos</b> [1] - 61:6</p> <p><b>view</b> [2] - 89:14, 89:25</p> <p><b>viewing</b> [1] - 14:2</p> <p><b>violation</b> [2] - 17:11, 46:1</p> <p><b>viral</b> [3] - 23:5, 24:25, 25:14</p> <p><b>virus</b> [1] - 15:22</p> <p><b>visit</b> [1] - 28:24</p> <p><b>visitation</b> [1] - 28:22</p> <p><b>visitor</b> [1] - 30:1</p> <p><b>visitors</b> [1] - 30:1</p> <p><b>voice</b> [1] - 10:20</p> <p><b>volume</b> [1] - 70:24</p> <p><b>VS</b> [1] - 1:6</p> <p><b>vulnerable</b> [1] - 15:3</p> <p style="text-align: center;"><b>W</b></p> <p><b>Wade</b> [1] - 2:12</p> <p><b>waived</b> [1] - 61:8</p> <p><b>walker</b> [1] - 64:8</p> <p><b>walls</b> [2] - 15:9, 15:14</p> <p><b>wanton</b> [1] - 24:21</p> <p><b>wants</b> [1] - 9:3</p> <p><b>warden</b> [14] - 43:10, 44:25, 82:8, 94:6, 94:7, 94:14, 95:5, 103:20, 103:21, 103:22, 104:1, 105:3, 114:4</p>	<p><b>Warden</b> [36] - 15:12, 43:7, 43:10, 43:12, 43:15, 43:18, 60:11, 82:6, 82:12, 82:20, 82:25, 83:3, 83:7, 83:9, 87:9, 88:4, 88:22, 89:8, 89:13, 89:16, 89:24, 90:15, 93:24, 103:8, 103:14, 103:17, 104:1, 104:2, 104:10, 104:15, 104:20, 104:24, 105:5, 112:7, 113:25, 114:8</p> <p><b>warden's</b> [4] - 94:11, 94:22, 94:25, 95:8</p> <p><b>wardens</b> [2] - 83:3, 103:11</p> <p><b>warnings</b> [1] - 16:6</p> <p><b>warns</b> [1] - 15:21</p> <p><b>wash</b> [3] - 33:20, 35:6, 79:6</p> <p><b>washing</b> [2] - 53:21, 79:23</p> <p><b>watch</b> [2] - 40:4, 40:6</p> <p><b>water</b> [13] - 33:14, 33:16, 33:20, 35:6, 63:23, 63:24, 79:9, 79:12, 79:16, 79:18, 79:21, 80:7, 80:11</p> <p><b>ways</b> [4] - 17:18, 39:11, 53:20, 64:24</p> <p><b>wear</b> [2] - 14:19, 19:4</p> <p><b>wearing</b> [3] - 15:18, 20:6, 114:3</p> <p><b>weather</b> [1] - 82:14</p> <p><b>website</b> [1] - 27:22</p> <p><b>week</b> [7] - 32:8, 50:9, 61:16, 61:24, 72:23, 87:6, 110:22</p> <p><b>weekend</b> [1] - 6:23</p> <p><b>weeks</b> [9] - 44:2, 48:3, 51:8, 71:7, 72:4, 109:17, 109:22, 111:20, 113:22</p> <p><b>weird</b> [1] - 6:13</p> <p><b>welcome</b> [1] - 4:3</p> <p><b>Werbner</b> [1] - 1:19</p> <p><b>wheelchair</b> [12] - 20:1, 20:3, 64:8, 64:13, 65:5, 65:25, 67:10, 76:6, 76:7, 76:12, 84:16, 88:19</p> <p><b>wheelchair-bound</b> [4] - 20:3, 65:25, 76:6, 76:7</p> <p><b>wheelchairs</b> [1] - 64:18</p> <p><b>wheels</b> [1] - 76:8</p> <p><b>whole</b> [3] - 86:21, 102:25, 116:15</p> <p><b>willfully</b> [1] - 24:17</p> <p><b>willing</b> [6] - 5:17, 6:4, 10:17, 10:22, 53:2, 53:16</p> <p><b>window</b> [6] - 31:17, 31:23, 61:23, 61:24, 96:7, 107:14</p> <p><b>WINSTON</b> [1] - 1:20</p> <p><b>wise</b> [1] - 66:6</p> <p><b>wishes</b> [1] - 56:6</p> <p><b>witness</b> [14] - 38:14, 39:5, 39:14, 40:5, 40:12, 41:1, 44:14, 117:12, 117:14,</p>
--	---	--	--

117:15, 120:9, 120:10,  
120:19, 120:25  
**WITNESS** <sup>[43]</sup> - 40:21, 47:7,  
52:12, 53:18, 54:25, 56:4,  
56:7, 56:9, 57:1, 57:17,  
58:9, 58:23, 59:17, 59:20,  
61:3, 61:22, 62:25, 63:9,  
65:11, 67:1, 67:18, 68:11,  
68:18, 74:11, 76:2, 81:6,  
89:1, 91:4, 92:22, 93:19,  
96:6, 99:1, 99:11, 101:4,  
104:20, 110:3, 110:17,  
111:5, 115:3, 115:22,  
117:10, 120:17, 120:23

**WITNESSES** <sup>[1]</sup> - 3:1**witnesses** <sup>[3]</sup> - 39:8, 39:13**wondering** <sup>[2]</sup> - 10:6, 10:7**wording** <sup>[1]</sup> - 95:20**words** <sup>[5]</sup> - 23:9, 23:11,  
24:12, 33:24, 35:19**works** <sup>[5]</sup> - 11:23, 66:20,  
94:2, 94:9, 107:3**world** <sup>[3]</sup> - 35:23, 35:24, 36:4**worldwide** <sup>[1]</sup> - 36:11**worry** <sup>[2]</sup> - 4:20, 13:19**worse** <sup>[1]</sup> - 21:18**worst** <sup>[1]</sup> - 21:14**write** <sup>[1]</sup> - 69:7**writing** <sup>[2]</sup> - 51:11, 72:17**written** <sup>[6]</sup> - 83:8, 88:2,  
105:16, 105:21, 105:23,  
109:7**Y****year** <sup>[8]</sup> - 25:5, 30:7, 30:8,  
35:25, 36:17, 47:14, 47:18,  
83:14**years** <sup>[1]</sup> - 92:4**yesterday** <sup>[3]</sup> - 7:23, 8:9,  
8:17**young** <sup>[2]</sup> - 15:21, 15:25**Z****zero** <sup>[2]</sup> - 11:21, 109:7**Zoom** <sup>[1]</sup> - 7:16**zoom** <sup>[2]</sup> - 13:15, 25:7